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LETTERS, SPEECHES, CHARGES,

ADVICES, &c.

OF

FRANCIS BACON,

LORD VISCOUNT ST. ALBAN,

LORD CHANCELLOR OF ENGLAND;

FIRST PUBLISHED IN THE YEAR 1763,

BY THOMAS BIRCH, D. D.

CHAPLAIN TO HER ROYAL HIGHNESS THE PRINCESS AMELIA,

AND SECRETARY TO THE ROYAL SOCIETY.

THE SECOND EDITION, WITH ADDITIONS.

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TO THE HONOURABLE

CHARLES YORKE,

ATTORNEY-GENERAL TO HIS MAJESTY.

SIR,

THE gratitude which I owe you for the honour and other important advantages of your friendship, hath often made me wish for an opportunity of making you some return, equal, in any degree, to your merit, and my own obligations. It was, therefore, a very agreeable incident to me, when, by means of your noble brother, the Lord Viscount Royston, always attentive to enlarge the fund of history, as well as to encourage and reward every attempt in favour of literature in general, there was put into my

hands a volume of original papers of the great Lord Bacon. This volume was, at his Lordship's request, readily intrusted with me by his Grace the Lord Archbishop of Canterbury, whose zeal for the advancement of useful learning of all kinds, bears a just proportion to that which he has shewn in every station of the church filled by him, for the support of religion, and for what is the most perfect system of its principles, laws, and sanctions—Christianity.

From the long acquaintance with which I have been favoured by you, and the frequent conversations which we have had upon subjects foreign to the profession which you so much adorn, I well knew your high veneration for the writings of Bacon, and your thorough knowledge of the most abstruse of them. Having, therefore, with an application little less than that of decyphering, transcribed from the first draughts, and digested into order, a collection of his letters, little inferior in number, and much superior in contents, to what the world hath hitherto seen, intermixed with other papers of his of an important nature, I could not doubt but that the publishing of them

would be no less acceptable to you, than, I persuade myself, they will be to the public. For it is scarce to be imagined, but that the bringing to light, from obscurity and oblivion, the remains of so eminent a person, will be thought an acquisition not inferior to the discovery (if the ruins of Herculanum should afford such a treasure) of a new set of the epistles of Cicero, whom our immortal countryman most remarkably resembled as an orator, a philosopher, a writer, a lawyer, and a statesman. The communication of them to the public appearing to me a duty to it and the memory of the author, to whom could I, separately from the consideration of all personal connexions and inducements, so justly present them, as to him, whom every circumstance of propriety, and conformity of character, in the most valuable part of it, pointed out to me for that purpose? Similarity of genius; the same extent of knowledge in the laws of our own and other countries, enriched and adorned with all the stores of ancient and modern learning; the same eloquence at the bar and in the senate; an equal force of writing, shewn in a single work indeed, and composed at a very early age, but decisive of

a grand question of law and sanction of government, the grounds of which had never before been stated with due precision; and the most successful discharge of the same offices of King's Council, and Solicitor and Attorney General.

These reasons, Sir, give your name an unquestionable right to be prefixed to these posthumous pieces. And I hope, while I am performing this act of justice, I may be excused the ambition of preserving my own name, by uniting it with those of BACON and YORKE.

Your delicacy here restrains me from indulging myself farther in the language which truth and esteem would dictate. But I must be allowed to add a wish, in which every good man and lover of his country will join with me, that as there now remains but one step for you to complete that course of public service and glory, in which you have so closely followed your illustrious father, he, happy in the most important circumstance of human life, the characters and fortunes of his children,

——— *longo ordine Nati,*
Clari omnes patriâ pariter Virtute suâque,

may live to see you possessed of that high station, which himself filled for almost twenty years, with a reputation superior to all the efforts of envy or party. Nor is it less to his honour (and may it be yours at a very distant period), that, though he thought proper to retire from that station in the full vigour of his abilities, he still continues to exert them in a more private situation, for the general benefit of his country; enjoying in it the noblest reward of his services, an unequalled authority, founded on the acknowledged concurrence of the greatest capacity, experience, and integrity.

I am, SIR,

Your most obliged,

And most devoted,

Humble servant,

THOMAS BIRCH.

London, June 1, 1762.

PREFACE.

As the reader will undoubtedly have some curiosity about the history of the transmission of these papers, now presented to him at the distance of an hundred and forty years from the date of most of them, though the hand of the incomparable writer is too conspicuous in them to admit of any suspicion of their genuineness; it will be proper here to give him some information upon that subject. Dr. Thomas Tenison is known to have been the editor of the *Baconiana*, published at London 1679, though he added only the initial letters of his name *to the account of all the lord Bacon's works* (*a*), subjoined to that collection. He had been an intimate friend of, and fellow of the same college (*b*) with Mr. William Rawley, only son of Dr. William Rawley, chaplain to the lord chancellor Bacon, and employed by his lordship, as publisher of most of his works. Dr. Rawley dying in the 79th year of his age, June the 18th, 1667, near a year after his son (*c*); his executor, Mr. John Rawley, put into the hands of his friend Dr. Tenison these papers of lord Bacon, which composed the *Baconiana;* and probably, at the same time, presented to him all the rest of his lordship's manuscripts, which Dr. Rawley had been possessed of, but did not think

(*a*) This *account* is dated Nov. the 30th, 1678.

(*b*) Benet, in the university of Cambridge.

(*c*) Who was buried the 3d of July, 1666.

proper to make public. The reasons of his reserve appear from Dr. Tenison's *account* (*d*) cited above, to have been, " that he judged some papers touching " *matters of state* to tread too near to the heels of " truth, and to the times of the persons concerned: " and that he thought his lordship's *letters* concerning " his fall might be injurious to his honour, and cause " the old wounds of it to bleed anew." But this is a delicacy, which, though suitable to the age in which Dr. Rawley lived, and to the relation, under which he had stood to his noble patron, ought to have no force in other times and circumstances, nor ever to be too much indulged to the prejudice of the rights of historical truth.

Dr. Tenison being, soon after the publication of the *Baconiana*, removed from the more private station of a country living to the vicarage of St. Martin's in the fields, Westminster, and, after the revolution, advanced to the bishopric of Lincoln, and at last to the archbishopric of Canterbury, had scarce leisure, if he had been inclined, to select more of the papers of his admired Bacon. These therefore with the rest of his manuscripts, not already deposited in the library at Lambeth, were left by him in his last will, dated the 11th of April, 1715, to his chaplain, Dr. Edmund Gibson, then rector of Lambeth, and afterwards successively bishop of Lincoln and London, and to Mr. (afterwards Dr.) Benjamin Ibbot, who had succeeded Dr. Gibson as library-keeper to his grace. Dr. Ibbot dying (*e*) many years before bishop Gibson, the whole

(*d*) Page 81. (*e*) The 11th of April, 1725.

collection of archbishop Tenison's papers came under the disposition of that bishop, who directed his two executors, the late Dr. Bettesworth, dean of the Arches, and his eldest son, George Gibson, Esq. to deposite them, with the addition of many others of his own collecting, in the manuscript library at Lambeth: and accordingly after his lordship's death, which happened on the 6th of Sept. 1748, all these manuscripts were delivered by his said executors to arcbishop Herring, on the 21st of October of that year, and placed in the library on the 23d of February following. But as they lay undigested in bundles, and in that condition were neither convenient for use, nor secure from damage, his grace the present archbishop directed them to be methodized and bound up in volumes with proper indexes, which was done by his learned librarian, Andrew Coltee Ducarel, L. L. D. Fellow of the royal and antiquarian societies, to whose knowledge, industry, and love of history and antiquities, the valuable library of manuscripts of the archiepiscopal see of Canterbury is highly indebted for the order, in which it is now arranged; and by whose obliging and communicating temper it is rendered generally useful. Bishop Gibson's collection, including what is the chief part of it, that of archbishop Tenison, fills fourteen large volumes in folio. The eighth of these consists merely of Lord Bacon's papers.

Of them principally, the work, which I now offer the public, is formed; nor has any paper been admitted into it that had been published before, except two

of Lord Bacon's letters, which having been disguised and mutilated in all former impressions, were thought proper to be reprinted here, together with two other letters of his lordship; one on the remarkable case of Peacham, the other accompanying his present to king James I. of his *Novum Organum*. These letters I was unwilling to omit, because the collection, in which they have lately appeared, intitled by the very learned and ingenious editor, Sir David Dalrymple, Bart. *Memorials and Letters relating to the History of Britain in the reign of James the First, published from the Originals*, at Glasgow, 1762, in 8vo. is likely to be much less known in England, from the smallness of the number of printed copies, than it deserves.

The general rule, which I have prescribed myself, of publishing only what is new, restrained me from adding those letters written in the earlier part of Mr. Francis Bacon's life, which I had before published from the originals, found among the papers of his brother Anthony, in the *Memoirs of the Reign of Queen Elizabeth, from the Year* 1581 *to her death.*

The example of the greatest men, in preserving in their editions of the classics the smallest remains of their writings, will be a full justification of my industry in collecting and inserting even the fragments of a writer equal to the most valuable of the ancients. Nor will the candid and intelligent object to the least considerable of the duke of Buckingham's letters, since they acquire an importance from the rank and character of the writer, as well as from their carrying

on the series of his correspondence, acquainting us with new facts, or ascertaining old ones with additional evidence and circumstances, and shewing the extent of that authority and influence, which his situation, as a favourite, gave him in all parts of the government, even as high as the seat of justice itself.

POSTSCRIPT,

RELATING TO THIS SECOND EDITION.

SINCE the former edition, there came into my hands, among the collections in print and manuscript, relating to lord Bacon and his works, made by the late John Locker, Esq. two letters of Dr. Tenison, afterwards Archbishop of Canterbury, which will enable me to give the public full satisfaction, in what manner that learned divine became possessed of the *Letters*, *&c.* of the noble author published by me.

One of these Letters, the original, written to Mr. Richard Chiswell, the Bookseller, for whom the *Baconiana* had been printed, is as follows:

" *SIR*, " Decemb. 16, 1682.

" I HAVE now look'd over all the books and papers " in the box. In the books there are copies of " Essays, Maxims of law, &c. all printed already:

" but they contain some things fit to be printed;
" and they and the letters will make a handsome
" folio; which I doubt not but will turn to account.
" For the Letters, there are divers of Sir Thomas
" Meauty's, &c. worth nothing: but there are more
" than forty letters to the duke of Buckingham, and
" some of the duke of Buckingham to him.

" There are eight or ten to king James. There
" are three or four to Gondomar, and Gondomar's
" answer to one of them.

" There are two or three letters to bishop Wil-
" liams, and two from him.

" There is lord Bacon's letter to Casaubon in
" Latin.

" There is one essay never printed.

" All which will be well accepted.

" After the holy days I will methodize all, and put
" all letters of the same date together (for as yet
" they are in confusion) and then we will take
" farther resolutions about them. I will get an after-
" noon (if God permit) to see the remaining papers
" in Bartholomew-Close. The Greek MS. will not
" prove much worth. The latter and greater part
" is only a piece of Tzetzes.

" It is necessary that you procure for me Tobie
" Mathew's printed letters, for here are also ten
" of his to lord Bacon; and I know not which they
" are yet printed. Also I shall want a copy of the
" Essays printed in 12mo, 1663, printed for Thomas

" Palmer, at the Crown in Westminster-Hall, with " a preface by one Griffith. I have the book; and " the preface is mentioned in the title page, but " is wanting.

" *I am your assured friend,*

" T. TENISON.

" If more sheets of Dr. Spencer's are done, pray send them."

For Mr. Chiswell, at the Rose and Crown,
in St. Paul's Church-Yard, London.

The other letter, of which I have a copy taken by the late Richard Rawlinson, LL.D. from bishop Tanner's manuscripts, in Christ-Church, Oxford, Vol. XXXV. p. 152, was addressed to archbishop Sancroft in these terms:

" *May it please your Grace.*

" I HAVE received your grace's letter touching " my course of preaching in Lent, which I shall be " ready, God assisting me, to do my duty at that " time according to my poor talent.

" I did forget on Tuesday to acquaint your grace, " that I had, by a strange providence, lately found " out in this town a great many original papers of " the lord Bacon. When I have looked over them " and sorted them, I will be bold to present your " grace with a catalogue of them. They came to " me from the executor of the executor of Sir Thomas " Meautys, who was his lordship's executor. Amongst " his lordship's papers are letters from king James, " the queen of Bohemia, count Gondomar, and

" others. Amongst his lordship's own letters, there " is one in Latin to Isaac Casaubon.

" One just now come from my lord Chancellor's * " assured me he was not indeed dead, but just " dying.

" *I am your Grace's most obliged servant,*

Decemb. 18, 1682. " THO. TENISON."

* Heneage Finch, earl of Nottingham, who died on the day of the date of this letter, aged 61 years.

The reason of the rule, which I prescribed to myself in the former edition, of publishing only what was new, not subsisting in the present, which forms a part of a complete collection of the author's writings, I have inserted in it such letters from and to him, as I had published in 1754 in the *Memoirs of the reign of queen Elizabeth.*

London, January 1, 1765.

LETTERS, &c.

OF

LORD CHANCELLOR BACON.

Mr. Francis Bacon to Mr. Robert Cecil *.

* From the original draught in the library of Queen's College, Oxford. *Arch. D.* 2. This letter seems to be of a very early date, and to have been written to Mr. Rob. Cecil, while he was upon his travels.

SIR,

I AM very glad, that the good affection and friendship, which conversation and familiarity did knit between us, is not by absence and intermission of society discontinued; which assureth me, it had a farther root than ordinary acquaintance. The signification whereof, as it is very welcome to me, so it maketh me wish, that, if you have accomplished yourself, as well in the points of virtue and experience, which you sought by your travel, as you have won the perfection of the Italian tongue, I might have the contentment to see you again in England, that we may renew the fruit of our mutual good will; which, I may truly affirm, is, on my part, much increased towards you, both by your own demonstration of kind remembrance, and because I discern the like affection in your honourable and nearest friends.

Our news are all but in seed; for our navy is set forth with happy winds, in token of happy adventures, so as we do but expect and pray, as the husbandman when his corn is in the ground.

Thus commending me to your love, I commend you to God's preservation.

Mr. Francis Bacon to the Earl of Essex *.

* Among the papers of Antony Bacon, Esq. vol. III. fol. 74, in the Lambeth library.

My Lord,

I DID almost conjecture by your silence and countenance a distaste in the course I imparted to your lordship touching mine own fortune; the care whereof in your lordship as it is no news to me, so nevertheless the main effects and demonstrations past are so far from dulling in me the sense of any new, as contrariwise every new refresheth the memory of many past. And for the free and loving advice your lordship hath given me, I cannot correspond to the same with greater duty, than by assuring your lordship, that I will not dispose of myself without your allowance, not only because it is the best wisdom in any man in his own matters, to rest in the wisdom of a friend (for who can by often looking in the glass discern and judge so well of his own favour, as another, with whom he converseth?) but also because my affection to your lordship hath made mine own contentment inseparable from your satisfaction. But, notwithstanding, I know it will be pleasing to your good lordship, that I use my liberty of replying; and I do almost assure myself, that your lordship will rest persuaded by the answer of those reasons, which your lordship vouchsafed to open. They were two, the one that I should include * * *

1593, April.

The rest of the letter is wanting.

Mr. Francis Bacon to Sir John Puckering, Lord Keeper of the Great Seal (*a*).

My Lord,

IT is a great grief unto me, joined with marvel, that her majesty should retain an hard conceit of my

(*a*) Harl. MSS. Vol. 286. No. 129. fol. 232.

speeches in parliament (*a*). It might please her sacred majesty to think what my end should be in those speeches, if it were not duty, and duty alone. I am not so simple, but I know the common beaten way to please. And whereas popularity hath been objected, I muse what care I should take to please many, that take a course of life to deal with few. On the other side, her majesty's grace and particular favour towards me hath been such, as I esteem no worldly thing above the comfort to enjoy it, except it be the conscience to deserve it. But if the not seconding of some particular person's opinion shall be presumption, and to differ upon the manner shall be to impeach the end; it shall teach my devotion not to exceed wishes, and those in silence. Yet notwithstanding, to speak vainly as in grief, it may be her majesty hath discouraged as good a heart, as ever looked toward her service, and as void of self-love. And so in more grief than I can well express, and much more than I can well dissemble, I leave your lordship, being as ever,

Your lordship's intirely devoted, &c.

Mr. Francis Bacon to Alderman John Spencer *.

Mr. Alderman Spencer, (*b*)

THOUGH I be ready to yield to any thing for my brother's sake, so yet he will not, I know, expect, no nor permit me, that I should do myself wrong. For

* Among the papers of Antony Bacon, Esq. vol. III. fol. 186, in the Lambeth library.

(*a*) On Wednesday the 7th of March, 159$\frac{3}{4}$, upon the three subsidies demanded of the house of commons; to which he assented, but not to the payment of them under six years, urging the necessities of the people, the danger of raising public discontentment, and the setting of an evil precedent against themselves and their posterity. See Sir Simonds D'Ewes's Journals, p. 493. He sat in that parliament, which met November 19, 1592, and was dissolved 10 April, 1593, as one of the knights of the shire for Middlesex.

(*b*) Sir John Spencer, lord mayor of London in 1594. His vast fortune came to his only daughter, Elizabeth, married to William lord Comptom, created earl of Northampton, in August 1618.

me, that touch no money, to have a statute hurrying upon my estate of that greatness, were a thing utterly unreasonable, and not to be moved, specially, since your assurance is as good without. There is much land bought and sold in England, and more intailed than fee-simple. But for a remainder man to join in seal, I think was never put in practice. For a time, till your assurance pass, so it pass with convenient speed, because of the uncertainty of life, I am content to enter into one; looking, nevertheless, for some present of gratification for my very joining in conveyance, and much more having yielded to this. For any warranty or charter, I had had neither law nor wit, if I should have meant it; and the reforming of the covenant; and the deed of feoffment, doth sufficiently witness my intention. Thus bid I heartily farewell.

Your very loving friend,

Twickenham-Park,
this 26th of August, 1593.

FR. BACON.

1593 Sept.

The Earl of ESSEX to Mr. FRANCIS BACON *.

* Among the papers of Antony Bacon, Esq. vol. III. fol. 197, in the Lambeth library.

Mr. Bacon,

YOUR letter met me here yesterday. When I came, I found the queen so wayward, as I thought it no fit time to deal with her in any sort, especially since her choler grew towards myself, which I have well satisfied this day, and will take the first opportunity I can to move your suit. And if you come hither, I pray you let me know still where you are. And so being full of business, I must end, wishing you what you wish to yourself.

Your assured friend,

ESSEX.

Lord Treasurer BURGHLEY to Mr. FRANCIS BACON*.

Nephew,

I HAVE no leisure to write much; but for answer I have attempted to place you: but her majesty hath required the lord keeper † to give to her the names of divers lawyers to be preferred, wherewith he made me acquainted, and I did name you as a meet man, whom his lordship allowed in way of friendship, for your father's sake: but he made scruple to equal you with certain, whom he named, as Brograve (*a*) and Branthwayt, whom he specially commendeth. But I will continue the remembrance of you to her majesty, and implore my lord of Essex's help.

Your loving uncle,

27 Sept. 1593.

N. BURGHLEY.

* Among the papers of Antony Bacon, Esq. vol. III. fol. 197, in the Lambeth library.

† Puckering.

Sir ROBERT CECIL to Mr. FRANCIS BACON†.

Cousin,

ASSURE yourself, that the solicitor's ‡ coming gave no cause of speech; for it was concerning a book to be drawn, concerning the bargain of wines. If there had been you should have known, or when there shall. To satisfy your request of making my lord know how recommended your desires are to me, I have spoken with his lordship, who answereth, he hath done and will do his best. I think your absence longer than for my good aunt's comfort will do you no good: for, as I ever told you, it is not likely to find the queen apt to give an office, when the scruple is

† Among the papers of Antony Bacon, Esq. vol III. fol. 197, *verso* in the Lambeth library.

‡ Mr. Edward Coke.

(*a*) John Brograve, attorney of the duchy of Lancaster, and afterwards knighted. He is mentioned by Mr. Francis Bacon, in his letter to the lord Treasurer, of 7th June, 1595, from Gray's-Inn, as having discharged his post of attorney of the duchy with *great sufficiency*. There is extant of his, in print, a *reading upon the statute of 27 Henry VIII. concerning Jointures.*

not removed of her forbearance to speak with you. This being not yet perfected may stop good, when the hour comes of conclusion, though it be but a trifle, and questionless would be straight dispatched, if it were luckily handled. But herein do I, out of my desire to satisfy you, use this my opinion, leaving you to your own better knowledge what hath been done for you, or in what terms that matter standeth. And thus, desirous to be recommended to my good aunt, to whom my wife heartily commends her, I leave you to the protection of Almighty God. From the court at Windsor, this 27th of September, 1593.

Your loving cousin and friend,

ROBERT CECIL.

I have heard in these causes, *Facies hominis est tanquam Leonis.*

1593. * Among the papers of Antony Bacon, Esq. vol. III. fol. 315, in the Lambeth library.

Mr. FRANCIS BACON to the QUEEN*.

Madam,

REMEMBERING, that your majesty had been gracious to me both in countenancing me, and conferring upon me the reversion of a good place, and perceiving, that your majesty had taken some displeasure towards me, both these were arguments to move me to offer unto your majesty my service, to the end to have means to deserve your favour, and to repair my error. Upon this ground, I affected myself to no great matter, but only a place of my profession, such as I do see divers younger in proceeding to myself, and men of no great note, do without blame aspire unto. But if any of my friends do press this matter, I do assure your majesty my spirit is not with them.

It sufficeth me, that I have let your majesty know, that I am ready to do that for the service, which I never would do for mine own gain. And if your majesty like others better, I shall, with the Lacedemonian, be glad, that there is such choice of abler men than myself. Your majesty's favour indeed, and ac-

cess to your royal person, I did ever, encouraged by your own speeches, seek and desire; and I would be very glad to be reintegrate in that. But I will not wrong mine own good mind so much, as to stand upon that now, when your majesty may conceive, I do it but to make my profit of it. But my mind turneth upon other wheels than those of profit. The conclusion shall be, that I wish your majesty served answerable to yourself. *Principis est virtus maxima nosse suos.* Thus I most humbly crave pardon of my boldness and plainness. God preserve your majesty.

Mr. Francis Bacon to Robert Kemp, of Gray's-Inn, Esq. *.

1593, Nov. 4.

* Among the papers of Antony Bacon, Esq. vol. III. fol. 281, in the Lambeth library.

Good Robin,

THERE is no news you can write to me which I take more pleasure to hear than of your health, and of your loving remembrance of me; the former whereof, though you mention not in your letter, yet I straight presumed well of it, because your mention was so fresh to make such a flourish. And it was afterwards accordingly confirmed by your man Roger, who made me a particular relation of the former negociation between your ague and you. Of the latter, though you profess largely, yet I make more doubt, because your coming is turned into a sending; which when I thought would have been repaired by some promise or intention of yourself, your man Roger entered into a very subtle distinction to this purpose, that you could not come, except you heard I was attorney; but I ascribe that to your man's invention, who had his reward in laughing; for I hope you are not so stately, but that I shall be one to you *stylo vetere* or *stylo novo*. For my fortune (to speak court) it is very slow, if any thing can be slow to him that is secure of the event. In short, nothing is done in it; but I propose to remain here at Twickenham, till Michaelmas term, then to St. Alban's, and after the term to court. Advise you, whether you will play the

honest man or no. In the mean time I think long to see you, and pray to be remembered to your father and mother.

Yours in loving affection,

From Twickenham-Park,
this 4th of Nov. 1593.

FR. BACON.

1593, Nov. 10. * Among the papers of Antony Bacon, Esq. vol. III. fol. 283, in the Lambeth library.

Mr. FRANCIS BACON to the Earl of ESSEX *.

My Lord,

I THOUGHT it not amiss to inform your lordship of that, which I gather partly by conjecture, and partly by advertisement of the late recovered man, that is so much at your devotion, of whom I have some cause to think, that he (*a*) worketh for the *Huddler* (*b*) underhand. And though it may seem strange, considering how much it importeth him to join straight with your lordship, in regard both of his enemies and of his ends; yet I do the less rest secure upon the conceit, because he is a man likely to trust so much to his art and finesse (as he, that is an excellent wherryman, who, you know, looketh towards the bridge, when he pulleth towards Westminster) that he will hope to serve his turn, and yet to preserve your lordship's good opinion. This I write to the end, that if your lordship do see nothing to the contrary, you may assure him more, or trust him less; and chiefly, that your lordship be pleased to sound again, whether they have not, amongst them, drawn out the nail which your lordship had driven in for the negative of the *Huddler*; which if they have, it will be necessary for your lordship to iterate more forcibly your former reasons, whereof there is such *copia*, as I think you may use all the places of logic against his placing.

Thus, with my humble thanks for your lordship's honourable usage of Mr. Standen, I wish you all honour.

Your lordship's in most faithful duty,

FR. BACON.

(*a*) Probably Lord Keeper Puckering. (*b*) Mr. Edward Coke.

I pray, Sir, let not my jargon privilege my letter from burning; because it is not such but the light sheweth through.

Earl of Essex to Mr. Francis Bacon*.

* Among the papers of Antony Bacon, Esq. vol. IV. fol. 90, in the Lambeth library.

SIR,

I HAVE received your letter, and since I have had opportunity to deal freely with the queen. I have dealt confidently with her as a matter, wherein I did more labour to overcome her delays, than that I did fear her denial. I told her how much you were thrown down with the correction she had already given you, that she might in that point hold herself already satisfied. And because I found, that Tanfield (*a*) had been most propounded to her, I did most disable him. I find the queen very reserved, staying herself upon giving any kind of hope, yet not passionate against you, till I grew passionate for you. Then she said, that none thought you fit for the place but my lord Treasurer and myself. Marry, the others must some of them say before us for fear or for flattery. I told her, the most and wisest of her council had delivered their opinions, and preferred you before all men for that place. And if it would please her majesty to think, that whatsoever they said contrary to their own words when they spake without witness, might be as factiously spoken, as the other way flatteringly, she would not be deceived. Yet if they had been never for you, but contrarily against you, I thought my credit, joined with the approbation and mediation of her greatest counsellors, might prevail in a greater matter than this; and urged her, that though she could not signify her mind to others, I might have a secret promise, wherein I should receive great comfort, as in the contrary great unkindness. She said she was neither persuaded nor would hear of it till Easter, when she might advise with her

(*a*) Probably Laurence Tanfield, made lord chief baron of the Exchequer in June 1607.

council, who were now all absent; and therefore in passion bid me go to bed, if I would talk of nothing else. Wherefore in passion I went away, saying, while I was with her I could not but solicit for the cause and the man I so much affected; and therefore I would retire myself till I might be more graciously heard; and so we parted. To-morrow I will go hence of purpose, and on Thursday I will write an expostulating letter to her. That night or upon Friday morning I will be here again, and follow on the same course, stirring a discontentment in her, *etc.* And so wish you all happiness, and rest

Your most assured friend,

Indorsed, March 28, 1594.

ESSEX.

The EARL of ESSEX to Mr. FRANCIS BACON*.

* Among the papers of Antony Bacon, Esq. vol. IV. fol. 89, in the Lambeth library.

SIR,

I HAVE now spoken with the queen, and I see no stay from obtaining a full resolution of that we desire. But the passion she is in by reason of the tales, that have been told her against Nicholas Clifford, with whom she is in such rage, for a matter, which I think you have heard of, doth put her infinitely out of quiet; and her passionate humour is nourished by some foolish women. Else I find nothing to distaste us, for she doth not contradict confidently; which they, that know the minds of women, say is a sign of yielding. I will to-morrow take more time to deal with her, and will sweeten her with all the art I have to make *benevolum auditorem.* I have already spoken with Mr. Vice-chamberlain †; and will to-morrow speak with the rest. Of Mr. Vice-chamberlain you may assure yourself; for so much he hath faithfully promised me. The exceptions against the competitors I will use to-morrow; for then I do resolve to have a full and large discourse, having prepared the queen to-night to assign me a time under colour of some such business, as I have pretended. In

† Sir Thomas Heneage.

the mean time I must tell you, that I do not respect either my absence, or my shewing a discontentment in going away, for I was received at my return, and I think I shall not be the worse. And for that I am oppressed with multitude of letters that are come, of which I must give the queen some account to-morrow morning, I therefore desire to be excused for writing no more to-night: to morrow you shall hear from me again. I wish you what you wish yourself in this and all things else, and rest

Your affectionate friend,

This Friday at night,
Indorsed, March 29, 1594.

ESSEX.

Mr. FRANCIS BACON to the EARL of ESSEX*.

* Among the papers of Antony Bacon, Esq. vol. III. fol. 62, Lambeth library.

My Lord,

I THANK your lordship for your kind and comfortable letter, which I hope will be followed at hand with another of more assurance. And I must confess this very delay hath gone so near me, as it hath almost overthrown my health; for when I revolved the good memory of my father, the near degree of alliance I stand in to my lord Treasurer, your lordship's signalled and declared favour, the honourable testimony of so many counsellors, the commendations unlaboured, and in sort offered by my lords the judges and the master of the rolls elect†; that I was voiced with great expectation, and, though I say it myself, with the wishes of most men, to the higher place‡; that I am a man, that the queen hath already done for; and that princes, especially her majesty, love to make an end where they begin: and then add hereunto the obscureness and many exceptions to my competitors: when I say I revolve all this, I cannot but conclude with myself, that no man ever read a more exquisite disgrace; and therefore truly, my lord, I was determined, if her majesty reject me, this to do. My nature can take no evil ply; but I will, by God's assistance, with this disgrace of my fortune,

† Sir Thomas Egerton.

‡ That of attorney general.

and yet with that comfort of the good opinion of so many honourable and worthy persons, retire myself with a couple of men to Cambridge, and there spend my life in my studies and contemplations without looking back. I humbly pray your lordship to pardon me for troubling you with my melancholy. For the matter itself, I commend it to your love; only I pray you communicate afresh this day with my lord Treasurer and Sir Robert Cecil; and if you esteem my fortune, remember the point of precedency. The objections to my competitors your lordship knoweth partly. I pray spare them not, not over the queen, but to the great ones, to shew your confidence, and to work their distrust. Thus longing exceedingly to exchange troubling your lordship with serving you, I rest

Your Lordship's,

in most intire and faithful service,

FRANCIS BACON.

I humbly pray your lordship I may hear from you some time this day.

30th of March, 1594.

Mr. FRANCIS BACON to Sir ROBERT CECIL *.

* Among the papers of Antony Bacon, Esq. vol. IV. fol. 122, in the Lambeth library.

My most honourable good Cousin,

YOUR honour in your wisdom doth well perceive, that my access at this time is grown desperate in regard of the hard terms, that as well the earl of Essex as Mr. Vice-chamberlain, who were to have been the means thereof, stand in with her majesty, according to their occasions. And therefore I am only to stay upon that point of delaying and preserving the matter intire till a better constellation; which, as it is not hard, as I conceive, considering the French business and the instant progress, &c. so I commend in special to you the care, who in sort assured me thereof, and upon whom now, in my lord of Essex's absence, I have only to rely; and, if it be needful, I

humbly pray you to move my lord your father to lay his hand to the same delay. And so I wish you all increase of honour.

Your Honour's poor kinsman

in faithful service and duty,

From Gray's-Inn, this 1st of May, 1594. FRANCIS BACON.

Sir ROBERT CECIL's answer*.

* Among the papers of Antony Bacon, Esq. vol. IV. fol. 122, in the Lambeth library.

Cousin,

I DO think nothing cut the throat more of your present access then the earl's being somewhat troubled at this time. For the delaying I think it not hard, neither shall there want my best endeavour to make it easy, of which I hope you shall not need to doubt by the judgment, which I gather of divers circumstances confirming my opinion. I protest I suffer with you in mind, that you are thus gravelled; but time will founder all your competitors, and set you on your feet, or else I have little understanding.

EARL of ESSEX to Mr. FRANCIS BACON†.

† Ibid. fol. 122.

SIR,

I WROTE not to you till I had had a second conference with the queen, because the first was spent only in compliments: she in the beginning excepted all business: this day she hath seen me again. After I had followed her humour in talking of those things, which she would entertain me with, I told her, in my absence I had written to Sir Robert Cecil, to solicit her to call you to that place, to which all the world had named you; and being now here, I must follow it myself; for I know what service I should do her in procuring you the place; and she knew not how great a comfort I should take in it. Her answer in playing just was, that she came not to me for

that, I should talk of those things when I came to her, not when she came to me; the term was coming, and she would advice. I would have replied, but she stopped my mouth. To-morrow, or the next day I will go to her, and then this excuse will be taken away. When I know more, you shall hear more; and so I end full of pain in my head, which makes me write thus confusedly.

Your most affectionate friend.

The same to the same *.

* Among the papers of Antony Bacon, Esq. vol. IV. fol. 123, in the Lambeth library.

SIR,

I WENT yesterday to the queen through the galleries in the morning, afternoon, and at night. I had long speech with her of you, wherein I urged both the point of your extraordinary sufficiency proved to me not only by your last argument, but by the opinion of all men I spake withal, and the point of mine own satisfaction, which I protested, should be exceeding great, if, for all her unkindness and discomforts past, she should do this one thing for my sake. To the first she answered, that the greatness of your friends, as of my lord Treasurer and myself, did make men give a more favourable testimony than else they would do, thinking thereby they pleased us. And that she did acknowledge you had a great wit, and an excellent gift of speech, and much other good learning. But in law she rather thought you could make shew to the uttermost of your knowledge, than that you were deep. To the second she said, she shewed her mislike to the suit, as well as I had done my affection in it; and that if there were a yielding, it was fitter to be of my side. I then added, that this was an answer, with which she might deny me all things, if she did not grant them at the first, which was not her manner to do. But her majesty had made me suffer and give way in many things else; which all I should bear, not only with patience, but with great contentment, if she would but grant my humble suit in this one.

And for the pretence of the approbation given you upon partiality, that all the world, lawyers, judges, and all, could not be partial to you; for somewhat you were crossed for their own interest, and some for their friends; but yet all did yield to your merit. She did in this as she useth in all, went from a denial to a delay, and said, when the council were all here, she would think of it; and there was no haste in determining of the place. To which I answered, that my sad heart had need of hasty comfort; and therefore her majesty must pardon me, if I were hasty and importunate in it. When they come we shall see what will be done; and I wish you all happiness, and rest,

Your most affectionate friend,

Indorsed 18th of May, 1594.

ESSEX.

FOULKE GREVILL, Esq. to Mr. FRANCIS BACON*.

* Among the papers of Antony Bacon, Esq. vol. IV. folio 132, in the Lambeth library.

Mr. Francis Bacon,

SATURDAY was my first coming to the court, from whence I departed again as soon as I had kissed her majesty's hands, because I had no lodging nearer than my uncle's, which is four miles off. This day I came thither to dinner, and waiting for to speak with the queen, took occasion to tell how I met you, as I passed through London; and among other speeches, how you lamented your misfortune to me, that remained as a withered branch of her roots, which she had cherished and made to flourish in her service. I added what I thought of your worth, and the expectation for all this, that the world had of her princely goodness towards you: which it pleased her majesty to confess, that indeed you began to frame very well, insomuch as she saw an amends in those little supposed errors, avowing the respect she carried to the dead, with very exceeding gracious inclination towards you. Some comparisons there fell out besides, which I leave till we meet, which I hope

shall be this week. It pleased her withal to tell of the jewel you offered her by Mr. Vice-chamberlain, which she had refused, yet with exceeding praise. I marvel, that as a prince she should refuse those havings of her poor subjects, because it did include a small sentence of despair; but either I deceive myself, or she was resolved to take it; and the conclusion was very kind and gracious. Sure as I will 100l. to 50l. that you shall be her solicitor, and my friend: in which mind, and for which mind I commend you to God. From the court this Monday in haste,

Your true friend to be commanded by you,

FOULKE GREVILL.

We cannot tell whether she come to ——— or stay here. I am much absent for want of lodging; wherein my own man hath only been to blame.

Indorsed 17 June, 1594.

* Among the papers of Antony Bacon, Esq. vol. IV. fol. 141, 156, in the Lambeth library.

Mr. FRANCIS BACON to the QUEEN*.

Most gracious and admirable Sovereign,

AS I do acknowledge a providence of God towards me, that findeth it expedient for me *tolerare jugum in juventute meâ*; so this present arrest of mine by his divine Majesty from your majesty's service is not the least affliction, that I have proved; and I hope your majesty doth conceive, that nothing under mere impossibility could have detained me from earning so gracious a vail, as it pleased your majesty to give me. But your majesty's service by the grace of God shall take no lack thereby; and thanks to God, it hath lighted upon him, that may be best spared. Only the discomfort is mine, who nevertheless have the private comfort, that in the time I have been made acquainted with this service, it hath been my hap to stumble upon somewhat unseen, which may import the same, as I made my lord keeper acquainted before my going. So leaving it to God to make a good end of a hard beginning, and most humbly craving your

majesty's pardon for presuming to trouble you, I recommend your sacred majesty to God's tenderest preservation.

Your sacred Majesty's

in most humble obedience and devotion,

From Huntingdon, this 20th of July, 1594. FR. BACON.

Mr. FRANCIS BACON to his Brother ANTONY *. * Among the papers of Antony Bacon, Esq. vol. IV. fol. 197, in the Lambeth library.

My good Brother,

ONE day draweth on another; and I am well pleased in my being here; for methinks solitariness collecteth the mind, as shutting the eyes doth the sight. I pray you therefore advertise me what you find, by my lord of Essex, (who, I am sure, hath been with you,) was done last Sunday; and what he conceiveth of the matter. I hold in one secret, and therefore you may trust your servant. I would be glad to receive my parsonage rent as soon as it cometh. So leave I you to God's good preservation.

Your ever loving brother,

From Twickenham-park, this Tuesday morning, 1594. FR. BACON.

Indorsed 16 Oct. 1594.

EARL of ESSEX to Mr. FRANCIS BACON †. † Ibid. fol. 195.

SIR,

I WILL be to-morrow night at London. I purpose to hear your argument the next day. I pray you send me word by this bearer of the hour, and place, where it is. Of your own cause I shall give better account when I see you, than I can do now; for that which will be done, will be this afternoon or to-morrow.

I am fast unto you, as you can be to yourself,

Indorsed 23 Oct. 1594. ESSEX.

Mr. Francis Bacon to his Brother Antony *.

* Among the papers of Antony Bacon, Esq. vol. IV. fol. 28, in the Lambeth library.

Good Brother,

SINCE I saw you this hath passed. Tuesday, though sent for, I saw not the queen. Her majesty alledged she was then to resolve with the council upon her places of law. But this resolution was *ut supra;* and note the rest of the counsellors were persuaded she came rather forwards than otherwise; for against me she is never peremptory but to my lord of Essex. I missed a line of my lord keeper's; but thus much I hear otherwise. The queen seemeth to apprehend my travel. Whereupon I was sent for by Sir Robert Cecil in sort as from her majesty; himself having of purpose immediately gone to London to speak with me; and not finding me there, he wrote to me. Whereupon I came to the court, and upon his relation to me of her majesty's speeches, I desired leave to answer it in writing; not, I said, that I mistrusted his report, but mine own wit; the copy of which answer I send. We parted in kindness *secundum exterius.* This copy you must needs return; for I have no other; and I wrote this by memory after the original was sent away. The queen's speech is after this sort. *Why? I have made no solicitor. Hath any body carried a solicitor with him in his pocket? But he must have it in his own time* (as if it were but yesterday's nomination) *or else I must be thought to cast him away:* Then her majesty sweareth thus; "If I continue this manner, she "will seek all England for a solicitor rather than take "me. Yea, she will send for Heuston and Coven-"try (*a*) to-morrow next," as if she would swear them both. Again she entereth into it, that "she "never deals so with any as with me *(in hoc erratum "non est)* she hath pulled me over the bar *(note the "words, for they cannot be her own)* she hath used "me in her greatest causes. But this is Essex; and "she is more angry with him than with me." And

(*a*) Thomas Coventry, afterwards one of the justices of the common pleas, and father of the lord keeper Coventry.

such like speeches so strange, as I should lose myself in it, but that I have cast off the care of it. My conceit is, that I am the least part of mine own matter. But her majesty would have a delay, and yet would not bear it herself. Therefore she giveth no way to me, and she perceiveth her council giveth no way to others; and so it sticketh as she would have it. But what the secret of it is *oculus aquilæ non penetravit.* My lord * continueth on kindly and wisely a course worthy to obtain a better effect than a delay, which to me is the most unwelcome condition.

* Essex.

Now to return to you the part of a brother, and to render you the like kindness advise you, whether it were not a good time to set in strongly with the queen to draw her to honour your travels. For in the course I am like to take, it will be a great and necessary stay to me, besides the natural comfort I shall receive. And if you will have me deal with my lord of Essex, or otherwise break it by mean to the queen, as that, which shall give me full contentment, I will do it as effectually, and with as much good discretion, as I can. Wherein if you aid me with your direction, I shall observe it. This as I did ever account it sure and certain to be accomplished, in case myself had been placed, and therefore deferred it till then, as to the proper opportunity; so now that I see such delay in mine own placing, I wish *ex animo* it should not expect.

I pray you let me know what mine uncle Killigrew will do (*a*); for I must be more careful of my credit than ever, since I receive so little thence where I deserved best. And, to be plain with you, I mean even to make the best of those small things I have with as much expedition, as may be without loss; and so sing a mass of *requiem*, I hope, abroad. For I know her majesty's nature, that she neither careth though the whole surname of Bacons travelled, nor of the Cecils neither.

(*a*) Mr. Antony Bacon had written to Sir Henry Killigrew on the 14th of January, 159$\frac{4}{5}$, to desire the loan of two hundred pounds for six months. Vol. IV. fol. 4.

I have here an idle pen or two, specially one, that was cozened, thinking to have got some money this term. I pray send me somewhat else for them to write out besides your Irish collection, which is almost done. There is a collection of king James, of foreign states, largeliest of Flanders; which, though it be no great matter, yet I would be glad to have it. Thus I commend you to God's good protection.

Your intire loving Brother,

From my lodging at Twickenham-park, this 25th of January, 1594.

FR. BACON.

Letter of Mr. FRANCIS BACON to Sir ROBERT CECIL *, a copy of which was sent with the preceding to Mr. ANTONY BACON.

* Among the papers of Antony Bacon, Esq. vol. IV. fol. 31.

SIR,

YOUR Honour may remember, that upon relation of her majesty's speech concerning my travel, I asked leave to make answer in writing; not but I knew then what was true, but because I was careful to express it without doing myself wrong. And it is true, I had then opinion to have written to her majesty: but since weighing with myself, that her majesty gave no ear to the motion made by yourself, that I might answer by mine own attendance, I began to doubt the second degree, whether it might not be taken for presumption in me to write to her majesty; and so resolved, that it was best for me to follow her majesty's own way in committing it to your report.

It may please your honour to deliver to her majesty, first, that it is an exceeding grief to me, that any not motion (for it was not a motion) but mention, that should come from me, should offend her majesty, whom for these one and twenty years (for so long it is, that I kissed her majesty's hands upon my journey into France) I have used the best of my wits to please.

Next, mine answer standing upon two points, the one, that this mention of travel to my lord of Essex was no present motion, suit, or request; but casting the worst of my fortune with an honourable friend, that had long used me privately, I told his lordship of this purpose of mine to travel, accompanying it with these very words, that upon her majesty's rejecting me with such circumstance, though my heart might be good, yet mine eyes would be sore, that I should take no pleasure to look upon my friends; for that I was not an impudent man, that could face out a disgrace; and that I hoped her majesty would not be offended, that, not able to endure the sun, I fled into the shade. The other, that it was more than this; for I did expressly and particularly (for so much wit God then lent me) by way of caveat restrain my lord's good affection, that he should in no wise utter or mention this matter till her majesty had made a solicitor: wherewith (now since my looking upon your letter,) I did in a dutiful manner challenge my lord, who very honourably acknowledged it, seeing he did it for the best: and therefore I leave his lordship to answer for himself. All this my lord of Essex can testify to be true; and I report me to yourself, whether at the first, when I desired deliberation to answer, yet nevertheless said, I would to you privately declare what had passed, I said not in effect so much. The conclusion shall be, that wheresoever God and her majesty shall appoint me to live, I shall truly pray for her majesty's preservation and felicity. And so I humbly commend me to you,

Your poor kinsman to do you service,

Indorsed January, 1594. FR. BACON.

(*a*) The Speeches drawn up by Mr. FRANCIS BACON for the Earl of ESSEX in a *device* (*b*) exhibited by his lordship before Queen ELIZABETH, on the anniversary of her accession to the throne, November 17, 1595.

The SQUIRE's speech.

MOST excellent and most glorious queen, give me leave, I beseech your majesty, to offer my master's complaint and petition; complaint that coming hi-

(*a*) Bishop Gibson's papers, vol. V. No. 118.

(*b*) An account of this *device*, which was much applauded, is given by Mr. Rowland Whyte to Sir Robert Sydney, in a letter dated at London, Saturday the 22d of November, 1595, and printed in the *Letters and Memorials of State* of the Sydney family, vol. I. p. 362. According to this letter, the earl of Essex, some considerable time before he came himself into the tilt-yard, sent his page with some speech to the queen, who returned with her majesty's glove; and when his lordship came himself, he was met by an old hermit, a secretary of state, a brave soldier, and an esquire. The first presented him with a book of meditations; the second with political discourses; the third with orations of bravely fought battles; the fourth was his own follower to whom the other three imparted much of their purpose before the earl came in. "Another, *adds Mr. Whyte*, "devised with him, persuading him to this and that course of life, "according to their inclinations. Comes into the tilt-yard, un-"thought upon, the ordinary post boy of London, a ragged villain, "all bemired, upon a poor lean jade galloping and blowing for life, "and delivered the secretary a packet of letters, which he pre-"sently offered my lord of Essex. And with this dumb shew our "eyes were fed for that time. In the after-supper, before the "queen; they first delivered a well-penned speech to move this "worthy knight to leave his following of love, and to betake him to "heavenly meditation; the secretary's all tending to have him follow "matters of state; the soldier's persuading him to the war: but the "squire answered them all, and concluded with an excellent, but "too plain, English, that this knight would never forsake his mis-"tress's love, whose virtue made all his thoughts divine; whose "wisdom taught him all true policy; whose beauty and worth were "at all times able to make him fit to command armies. He shewed "all the defects and imperfections of all their times; and therefore "thought his course of life to be best in serving his mistress." Mr. Whyte then mentions, that the part of the old *hermit* was performed

ther to your majesty's most happy day, he is tormented with the importunity of a melancholy dreaming hermit, a mutinous brain-sick soldier, and a busy tedious secretary. His petition is, that he may be as free as the rest; and, at least, whilst he is here, troubled with nothing but with care how to please and honour you.

The HERMIT'S speech in the presence.

THOUGH our ends be divers, and therefore may be one more just than another; yet the complaint of this Squire is general, and therefore alike unjust against us all. Albeit he is angry, that we offer ourselves to his master uncalled, and forgets we come not of ourselves but as the messengers of self-love, from whom, all that comes should be well taken. He saith, when we come, we are importunate. If he mean that we err in form, we have that of his master, who being a lover, useth no other form of soliciting. If he will charge us to err in matter, I for my part will presently prove, that I persuade him to nothing but for his own good. For I wish him to leave turning over the book of fortune which is but a play for children; when there be so many books of truth and knowledge, better worthy the revolving; and not fix his view only upon a picture in a little table, when there be so many tables of histories, yea to life, excellent to behold and admire. Whether he believe me or no, there is no prison to the thoughts, which are free under the greatest tyrants. Shall any man make his conceit, as an anchorite, mured up with the compass of one beauty or person,

by him, who at Cambridge played that of *Giraldi*; that Morley acted the *secretary*, and that the *soldier* was represented by him, who acted the *pedant*, and that Mr. Tobie Matthew was the *squire*. "The world," *says Mr. Whyte*, "makes many untrue constructions "of these speeches, comparing the hermit and the secretary "to two of the lords; and the soldier to Sir Roger Williams. "But the queen said, that if she had thought there had been so much "said of her, she would not have been there that night; and so went "to bed."

that may have the liberty of all contemplation? Shall he exchange the sweet travelling through the universal variety, for one wearisome and endless round or labyrinth? Let thy master, Squire, offer his service to the *muses*. It is long since they received any into their court. They give alms continually at their gate, that many come to live upon; but few they have ever admitted into their palace. There shall he find secrets not dangerous to know; sides and parties not factious to hold; precepts and commandments not penal to disobey. The gardens of love, wherein he now placeth himself, are fresh to-day, and fading to-morrow, as the sun comforts them, or is turned from them. But the gardens of the muses keep the privilege of the golden age; they ever flourish, and are in league with time. The monuments of wit survive the monuments of power. The verses of a poet endure without a syllable lost, while states and empires pass many periods. Let him not think he shall descend; for he is now upon a hill, as a ship is mounted upon the ridge of a wave: but that hill of the muses is above tempests, always clear and calm; a hill of the goodliest discovery, that man can have, being a prospect upon all the errors and wanderings of the present and former times. Yea, in some cliff it leadeth the eye beyong the horizon of time, and giveth no obscure divinations of times to come. So that if he will indeed lead *vitam vitalem*, a life that unites safety and dignity, pleasure and merit; if he will win admiration without envy, if he will be in the feast, and not in the throng; in the light, and not in the heat; let him embrace the life of study and contemplation. And if he will accept of no other reason, yet because the gift of the muses will enworthy him in love, and where he now looks on his mistress's outside with the eyes of sense, which are dazzled and amazed, he shall then behold her high perfections and heavenly mind with the eyes of judgment, which grow stronger by more nearly and more directly viewing such an object.

The SOLDIER'S speech.

SQUIRE, the good old man hath said well to you; but I dare say, thou wouldst be sorry to leave to carry thy master's shield, and to carry his books: and I am sure thy master had rather be a falcon, a bird of prey, than a singing-bird in a cage. The muses are to serve martial men, to sing their famous actions; and not to be served by them. Then hearken to me.

It is the war that giveth all spirits of valour, not only honour, but contentment. For mark, whether ever you did see a man grown to any honourable commandment in the wars, but whensoever he gave it over, he was ready to die with melancholy? Such a sweet felicity is in that noble exercise, that he that hath tasted it thoroughly, is distasted for all other. And no marvel; for if the hunter takes such solace in his chace; if the matches and wagers of sport pass away with such satisfaction and delight; if the looker on be affected with pleasure in the representation of a feigned tragedy, think what contentment a man receiveth, when they, that are equal to him in nature, from the height of insolency and fury are brought to the condition of a chaced prey; when a victory is obtained, whereof the victories of games are but counterfeits and shadows; and, when in a lively tragedy, a man's enemies are sacrificed before his eyes to his fortune.

Then for the dignity of military profession, is it not the truest and perfectest practice of all virtues? of wisdom, in disposing those things, which are most subject to confusion and accident: of justice, in continual distributing rewards: of temperance, in exercising of the straitest discipline: of fortitude, in toleration of all labours and abstinence from effeminate delights: of constancy, in bearing and digesting the greatest variety of fortune. So that when all other places and professions require but their several virtues, a brave leader in the wars must be accomplished with all. It is the wars that are the tribunal seat,

where the highest rights and possessions are decided; the occupation of kings, the root of nobility, the protection of all estates. And lastly, lovers never thought their profession sufficiently graced, till they have compared it to a warfare. All, that in any other profession can be wished for, is but to live happily: but to be a brave commander in the field, death itself doth crown the head with glory. Therefore, Squire, let thy master go with me, and though he be resolved in the pursuit of his love, let him aspire to it by the noblest means. For ladies count it no honour to subdue them with their fairest eyes, which will be daunted with the fierce encounter of an enemy. And they will quickly discern a champion fit to wear their glove, from a page not worthy to carry their pantofle. Therefore I say again, let him seek his fortune in the field, where he may either lose his love, or find new argument to advance it.

The STATEMAN's speech.

SQUIRE, my advise to thy master shall be as a token wrapped up in words; but then will it shew itself fair, when it is unfolded in his actions. To wish him to change from one humour to another, were but as if, for the cure of a man in pain, one should advise him to lie upon the other side, but not enable him to stand on his feet. If from a sanguine delightful humour of love, he turn to a melancholy retired humour of contemplation, or a turbulent boiling humour of the wars; what doth he but change tyrants? Contemplation is a dream; love, a trance; and the humour of war is raving. These be shifts of humour, but no reclaiming to reason. I debar him not studies nor books, to give him stay and variety of conceit, refresh his mind, to cover sloth and indisposition, and to draw to him from those that are studious, respect and commendation. But let him beware, lest they possess not too much of his time; that they abstract not his judgment from present experience, nor make him presume upon knowing much, to apply the less. For

the wars, I deny him no enterprise, that shall be worthy in greatness, likely in success, or necessary in duty; not mixed with any circumstance of jealousy, but duly laid upon him. But I would not have him take the alarm from his own humour, but from the occasion; and I would again he should know an employment from a discourting. And for his love, let it not disarm his heart within, as to make him too credulous to favours, nor too tender to unkindnesses, nor too apt to depend upon the heart he knows not. Nay, in his demonstration of love, let him not go too far; for these seely lovers, when they profess such infinite affection and obligation, they tax themselves at so high a rate, that they are ever under arrest. It makes their service seem nothing, and every cavil or imputation very great. But what, Squire, is thy master's end? If to make the prince happy he serves, let the instructions to employ men, the relations of ambassadors, the treaties between princes, and actions of the present time, be the books he reads: let the orations of wise princes, or experimented counsellors, in council or parliament, and the final sentences of grave and learned judges in weighty and doubtful causes, be the lecturers he frequents. Let the holding of affection with confederates without charge, the frustrating of the attempts of enemies, without battles, the intitling of the crown to new possessions without shew of wrong, the filling of the prince's coffers without violence, the keeping of men in appetite without impatience, be the inventions he seeks out. Let policy and matters of state be the chief, and almost the only thing he intends. But if he will believe *Philautia*, and seek most his own happiness, he must not of them embrace all kinds, but make choice, and avoid all matter of peril, displeasure, and charge, and turn them over to some novices, that know not manacles from bracelets, nor burdens from robes. For himself, let him set for matters of commodity and strength, though they be joined with envy. Let him not trouble himself too laboriously to sound into any matter deeply, or to execute any thing exactly; but let

himself make himself cunning rather in the humours and drifts of persons, than in the nature of business and affairs. Of that it sufficeth to know only so much, as may make him able to make use of other mens wits, and to make again a smooth and pleasing report. Let him entertain the proposition of others, and ever rather let him have an eye to the circumstances, than to the matter itself; for then shall he ever seem to add somewhat of his own: and besides, when a man doth not forget so much as a circumstance, men do think his wit doth superabound for the substance. In his counsels let him not be confident; for that will rather make him obnoxious to the success; but let him follow the wisdom of oracles, which uttered that which might ever be applied to the event. And ever rather let him take the side which is likeliest to be followed, than that which is soundest and best, that every thing may seem to be carried by his direction. To conclude, let him be true to himself, and avoid all tedious reaches of state, that are not merely pertinent to his particular. And if he will needs pursue his affection, and go on his course, what can so much advance him in his own way? The merit of war is too outwardly glorious to be inwardly grateful: and it is the exile of his eyes, which looking with such affection upon the picture, cannot but with infinite contentment behold the life. But when his mistress shall perceive, that his endeavours are become a true support of her, a discharge of her care, a watchman of her person, a scholar of her wisdom, an instrument of her operation, and a conduit of her virtue; this, with his diligences, accesses, humility, and patience, may move her to give him further degrees and approaches to her favour. So that I conclude, I have traced him the way to that which hath been granted to some few, *amare et sapere*, to love and be wise.

The reply of the SQUIRE.

WANDERING Hermit, storming Soldier, and hollow Statesman, the inchanting orators of *Philautia*, which have attempted by your high charms to turn resolved *Erophilus* into a statue deprived of action, or into a vulture attending upon dead bodies, or into a monster with a double heart; with infinite assurance, but with just indignation, and forced patience, I have suffered you to bring in play your whole forces. For I would not vouchsafe to combat you one by one, as if I trusted to the goodness of my breath, and not the goodness of my strength, which little needeth the advantage of your severing, and much less of your disagreeing. Therefore, first, I would know of you all what assurance you have of the fruit whereto you aspire.

You, Father, that pretend to truth and knowledge, how are you assured that you adore not vain chimæras and imaginations? that in your high prospect, when you think men wander up and down; that they stand not indeed still in their place? and it is some smoke or cloud between you and them, which moveth, or else the dazzling of your own eyes? Have not many which take themselves to be inward counsellors with nature, proved but idle believers, which told us tales, which were no such matter? And, Soldier, what security have your for these victories and garlands which you promise to yourself? Know you not of many, which have made provision of laurel for the victory, and have been fain to exchange it with cypress for the funeral? of many which have bespoken fame to sound their triumphs, and have been glad to pray her to say nothing of them, and not to discover them in their flights?

Corrupt Statesman, you that think by your engines and motions to govern the wheel of fortune; do you not mark, that clocks cannot be long in temper? that jugglers are no longer in request, when their tricks and slights are once perceived? Nay, do you not see, that never any man made his own cunning and prac-

tice, without religion and moral honesty, his foundation, but he overbuilt himself, and in the end made his house a windfall? But give ear now to the comparison of my master's condition, and acknowledge such a difference, as is betwixt the melting hail-stone and the solid pearl. Indeed it seemeth to depend, as the globe of the earth seemeth to hang, in the air; but yet it is firm and stable in itself. It is like a cube, or a die-form, which toss it or throw it any way, it ever lighteth upon a square. Is he denied the hopes of favours to come? He can resort to the remembrance of contentments past. Destiny cannot repeal that which is past. Doth he find the acknowledgment of his affection small? He may find the merit of his affection the greater. Fortune cannot have power over that which is within. Nay, his falls are like the falls of Antæus; they renew his strength. His clouds are like the clouds of harvest, which makes the sun break forth with greater force. His wanes are changes like the moon's, whose globe is all light towards the sun, when it is all dark towards the world; such is the excellency of her nature, and of his estate. Attend, you beadsman of the muses, you take your pleasure in a wilderness of variety; but it is but of shadows. You are as a man rich in pictures, medals, and crystals. Your mind is of the water, which taketh all forms and impressions, but is weak of substance. Will you compare shadows with bodies, picture with life, variety of many beauties with the peerless excellency of one? the element of water with the element of fire? And such is the comparison between knowledge and love.

Come out, Man of war; you must be ever in noise. You will give laws, and advance force, and trouble nations, and remove land-marks of kingdoms, and hunt men, and pen tragedies in blood: and that, which is worst of all, make all the virtues accessary to bloodshed. Hath the practice of force so deprived you of the use of reason, as that you will compare the interruption of society with the perfection of society? the conquest of bodies with the conquest of

spirits? the terrestrial fire, which destroyeth and dissolveth, with the celestial fire, which quickeneth and giveth life? And such is the comparison between the soldier and the lover.

And as for you, untrue Politique, but truest bondman to *Philautia*, you, that presume to bind occasion, and to overwork fortune, I would ask you but one question. Did ever any lady, hard to please, or disposed to exercise her lover, injoin him so good tasks and commandments, as *Philautia* exacteth of you? While your life is nothing but a continual acting upon a stage; and that your mind must serve your humour, and yet your outward person must serve your end; so as you carry in one person two several servitudes to contrary masters. But I will leave you to the scorn of that mistress, whom you undertake to govern; that is, to fortune, to whom *Philautia* hath bound you. And yet, you commissioner of *Philautia*, I will proceed one degree farther: if I allowed both of your assurance, and of your values, as you have set them, may not my master enjoy his own felicity; and have all yours for advantage? I do not mean, that he should divide himself in both pursuits, as in your feigning tales towards the conclusion you did yield him; but because all these are in the hands of his mistress more fully to bestow, than they can be attained by your addresses, knowledge, fame, fortune. For the *Muses*, they are tributary to her majesty for the great liberties they have enjoyed in her kingdom, during her most flourishing reign; in thankfulness whereof they have adorned and accomplished her majesty with the gifts of all the sisters. What library can present such a story of great actions, as her majesty carrieth in her royal breast by the often return of this happy day? What worthy author or favourite of the muses, is not familiar with her? Or what language, wherein the muses have used to speak is unknown to her? Therefore, the hearing of her, the observing of her, the receiving instructions from her, may be to *Erophilus* a lecture exceeding all dead monuments of the muses. For *Fame*, can all

the exploits of the war win him such a title, as to have the name of favoured and selected servant of such a queen? For *Fortune*, can any insolent politique promise to himself such a fortune, by making his own way, as the excellency of her nature cannot deny to a careful, obsequious, and dutiful servant? And if he could, were it equal honour to obtain it by a shop of cunning, as by the gift of such a hand?

Therefore *Erophilus*'s resolution is fixed: he renounceth *Philautia*, and all her inchantments. For her recreation, he will confer with his muse: for her defence and honour, he will sacrifice his life in the wars, hoping to be embalmed in the sweet odours of her remembrance. To her service will he consecrate all his watchful endeavours, and will ever bear in his heart the picture of her beauty; in his actions, of her will; and in his fortune, of her grace and favour.

To Sir THOMAS EGERTON, Lord Keeper of the Great Seal. (*a*)

May it please your honourable good Lordship,

OF your lordship's honourable disposition, both generally and to me, I have that belief, as what I think, I am not afraid to speak: and what I would speak, I am not afraid to write. And therefore I have thought to commit to letter some matter, whereunto [which] I have been [conceived] led [into the same] by two motives; the one, the consideration of my own estate; the other, the appetite, which I have to give your lordship some evidence of the thoughtful and voluntary desire, which is in me, to merit well of your most honourable lordship: which desire in me

(*a*) From the original draught in the library of Queen's College, Oxford, Arch. D. 2. the copy of which was communicated to me by Thomas Tyrwhytt, Esq. clerk of the honourable House of Commons. Sir William Dugdale in his *Baronage of England*, vol. II. p. 438, has given two short passages of this letter transcribed by him from the unpublished original.

hath been bred chiefly by the consent I have to your great virtue come in good time to do this state pleasure; and next by your loving courses held towards me, especially in your nomination and inablement of me long since to the solicitor's place, as your lordship best knows. Which your two honourable friendships I esteem so much [in so great sort] as your countenance and favour in my practice, which are somewhat to my poverty; yet I count them not the best [greatest] part of the obligation, wherein I stand bound to you.

And now, my lord, I pray you right humbly, that you will vouchsafe your honourable licence and patience, that I may express to you, what in a doubtful liberty I have thought fit, partly by way of praying your help, and partly by way of offering my good will: partly again by way of pre-occupating your conceit, lest you may in some things mistake.

My estate, to confess a truth to your lordship, is weak and indebted, and needeth comfort; for both my father, though I think I had greatest part in his love to all his children, yet in his wisdom served me in as a last comer; and myself, in mine own industry, have rather referred and aspired to virtue than to gain: whereof I am not yet wise enough to repent me. But the while, whereas Solomon speaketh that *want cometh* first *like a wayfaring* man, and after like *an armed man*, I must acknowledge to your lordship myself to [be] *in primo gradu;* for it stealeth upon me. But for the second, that it should not be able to be resisted, I hope in God I am not in that case; for the preventing whereof, as I do depend upon God's providence all in all, so in the same his providence I see opened unto me three not unlikely expectations of help: the one my practice; the other some proceeding in the queen's service; the third [the] place I have in reversion; which, as it standeth now unto me, is but like another man's ground reaching upon my house, which may mend my prospect, but it doth not fill my barn.

For my practice, it presupposeth my health, which, if I should judge of, as a man that judgeth of a fair morrow by a fair evening, I might have reason to value well. But myself having this error of mind, that I am apter to conclude in every thing of change from the present tense than of a continuance, do make no such appointment. Besides, I am not so far deceived in myself, but that I know very well, and I think your lordship is *major corde*, and in your wisdom you note it more deeply than I can in myself, that in practising the law, I play not all my best game, which maketh me accept it with a *nisi quod potius*, as the best of my fortune, and the thing agreeable to better gifts than mine, but not to mine.

For my placing, your lordship best knows, that when I was much dejected with her majesty's strange dealing towards me, it pleased you of your singular favour so far to comfort and encourage me, as to hold me worthy to be excited to think of succeeding your lordship in your second place (*a*); signifying in your plainness, that no man should better content yourself: which your exceeding favour you have not since varied from, both in pleading the like signification into the hands of some of my best friends, and also in an honourable and answerable nomination and commendation of me to her majesty. Wherein I hope your lordship, if it please you to call to mind, did find me neither overweening in presuming too much upon it, nor much deceived in my opinion of the event for the continuing it still in yourself, nor sleepy in doing some good offices to the same purpose.

Now upon this matter I am to make your lordship three humble requests, which had need be very reasonable, coming so many together. First, that your lordship will hold and make good your wishes towards me in your own time; for no other I mean it; and in thankfulness thereof, I will present your lord-

(*a*) The master-ship of the rolls; which office the lord keeper held till the lord Bruce was advanced to it, May 18, 1603.

ship with the fairest flower of my estate; though it yet bear no fruit; and that is the poor reversion, which of her majesty's gift I hold; in the which I shall be no less willing Mr. John Egerton (*b*), if it seem good to you, should succeed me in that, than I would be willing to succeed your lordship in the other place.

My next humble request is, that your lordship would believe a protestation, which is, that if there be now against the next term, or hereafter, for a little bought knowledge of the court teacheth me to foresee these things, any heaving or palting at that place, upon mine honesty and troth, my spirit is not in, nor with it; I, for my part, being resolutely resolved not to proceed one pace or degree in this matter but with your lordship's foreknowledge and approbation. The truth of which protestation will best appear, if by any accident, which I look not for, I shall receive any further strength. For, as I now am, your lordship may impute it only to policy alone in me, that being without present hope myself, I would be content the matter sleep.

My third humble petition to your lordship is, that you would believe an intelligence, and not take it for a fiction in court; of which manner I like Cicero's speech well, who, writing to Appius Claudius, saith; *Sin autem quæ tibi ipsi in mentem veniant, ea aliis tribuere soles, inducis genus sermonis in amicitiam minime liberale.* But I do assure your lordship, it is both true and fresh, and from a person of that sort, as having some glimpse of it before, I now rest fully confirmed in it: and it is this, that there should be a plot laid of some strength between Mr. Attorney

(*b*) Second son of the lord keeper, whose eldest son Sir Thomas, knighted at Cadiz upon the taking it in 1596 by the earl of Essex, died in Ireland, whither he attended that earl in 1599, as Mr. John Egerton likewise did, and was knighted by his lordship, and at the coronation of king James was made knight of the bath. He succeeded his father in the titles of baron of Ellesmere and viscount Brackley, and on the 17th of May was created earl of Bridgewater.

General (*c*), and Mr. Attorney of the Wards (*d*), for the one's remove to the rolls, and the other to be drawn to his place. Which, to be plain with your lordship, I do apprehend much. For first, I know Mr. Attorney General, whatsoever he pretendeth or protesteth to your lordship, or any other, doth seek it; and I perceive well by his dealing towards his best friends, to whom he oweth most, how perfectly he hath conned the adage of *proximus egomet mihi:* and then I see no man ripened for the place of the rolls in competition with Mr. Attorney General. And lastly, Mr. Attorney of the Wards being noted for a pregnant and stirring man, the objection of any hurt her majesty's business may receive in her causes by the drawing up of Mr. Attorney General, will wax cold. And yet nevertheless, if it may please your lordship to pardon me so to say, of the second of those placings I think with some scorn; only I commend the knowledge hereof to your lordship's wisdom, as a matter not to be neglected.

And now lastly, my honourable good lord, for my third poor help, I account [it] will do me small good, except there be a heave; and that is this place of the Star-Chamber. I do confess ingenuously to your lordship out of my love to the public, besides my particular, that I am of opinion, that rules without examples will do little good, at least not to continue; but that there is such a concordance between the time to come and the time passed, as there will be no reforming the one without informing of the other. And I will not, as the proverb is, spit against the wind, but yield so far to a general opinion, as there was never a more ** or particular example. But I submit it wholly to your honourable grave consideration; only I humbly pray you to conceive, that it is not any money, that I have borrowed of Mr. Mills, nor any gratification I receive for my aid, that makes

(*c*) Coke.

(*d*) Probably Sir Thomas Heskett, who died 15th October, 1605, and has a monument erected to his memory in Westminster-Abbey.

me shew myself any ways in it, but simply a desire to preserve the rights of the office, as far as it is meet and incorrupt; and secondly his importunity, who nevertheless, as far as I see, taketh a course to bring this matter in question to his farther disadvantage, and to be principal in his own harm. But if it be true, that I have heard of more than one or two, that besides this fore-running in taking of fees, there are other deep corruptions, which in an ordinary course are intended to be proved against him; surely, for my part, I am not superstitious, as I will not take any shadow of it, nor labour to stop it, since it is a thing medicinable for the office of the realm. And then if the place by such an occasion or otherwise should come in possession, the better to testify my affection to your lordship, I should be glad, as I offered it to your lordship by way of [surrender] so in this case to offer it by way of joint-patentcy, in nature of a reversion, which, as it is now, there wanteth no good will in me to offer, but that both, in that condition it is not worth the offering; and besides, I know not whether my necessity may inforce me to sell it away; which, if it were locked in by any reversion or joint-patentcy, I were disabled to do for my relief.

Thus your lordship may perceive how assured a persuasion I have of your love towards me, and care of me, which hath made me so freely to communicate of my poor state with your lordship, as I could have done to my honourable father, if he had lived: which I most humbly pray your lordship may be private to yourself, to whom I commit it to be used to such purpose, as in your wisdom and honourable love and favour should seem good. And so humbly craving pardon, I commend your lordship to the divine preservation.

At your lordship's honourable commandment,

humbly and particularly.

* Among the papers of Antony Bacon, Esq. vol. XI. fol. 69, in the Lambeth library.

Mr. FRANCIS BACON to the EARL of ESSEX *, on his Lordship's going on the expedition against Cadiz.

My singular good Lord,

I HAVE no other argument to write on to your good lordship, but upon demonstration of my deepest and most bounden duty, in fulness whereof I mourn for your lordship's absence, though I mitigate it as much as I can with the hope of your happy success, the greatest part whereof, be it never so great, will be the safety of your most honourable person; for the which in the first place, and then for the prosperity of your enterprise, I frequently pray. And as in so great discomfort it hath pleased God some ways to regard my desolateness, by raising me so great and so worthy a friend in your absence, as the new-placed lord keeper (*a*), in whose placing as it hath pleased God to establish mightily one of the chief pillars of this estate, that is, the justice of the land, which began to shake and sink, and for that purpose no doubt gave her majesty strength of heart of herself to do that in six days, which the deepest judgment thought would be the work of many months; so for my particular, I do find in an extraordinary manner, that his lordship doth succeed my father almost in his fatherly care of me, and love towards me, as much as he professeth to follow him in his honourable and sound courses of justice and estate; of which so special favour the open and apparent reason I can ascribe to nothing more than the impression, which, upon many conferences of long time used between his lordship and me, he may have received both of your lordship's high love and good opinion towards his lordship verified in many and singular offices, whereof now the realm, rather than himself, is like to reap the fruit; and also of your singular affection towards me, as a man chosen by you to set forth the excellency of

(*a*) Egerton.

your nature and mind, though with some error of your judgment. Hereof if it may please your lordship to take knowledge to my lord, according to the stile of your wonted kindness, your lordship shall do me great contentment. My lord told me he had written to your lordship, and wished with great affection he had been so lucky, as to have had two hours talk with you upon those occasions, which have since fallen out. So wishing that God may conduct you by the hand pace by pace, I commend you and your actions to his divine providence.

Your Lordship's ever deepliest bounden,

10 May, 1596.

FR. BACON.

The EARL of ESSEX to Mr. FRANCIS BACON*.

* Among the papers of Antony Bacon, Esq. vol. XI. fol. 139, in the Lambeth library.

SIR,

I HAVE thought the contemplation of the art military harder than the execution. But now I see where the number is great, compounded of sea and land forces, the most *tyrones*, and almost all voluntaries, the officers equal almost in age, quality, and standing in the wars, it is hard for any man to approve himself a good commander. So great is my zeal to omit nothing, and so short my sufficiency to perform all, as, besides my charge, myself doth afflict myself. For I cannot follow the precedents of our dissolute armies, and my helpers are a little amazed with me, when they are come from governing a little troop to a great; and from ———— to all the great spirits of our state. And sometimes I am as much troubled with them, as with all the troops. But though these be warrants for my seldom writing, yet they shall be no excuses for my fainting industry. I have written to my lord keeper and some other friends to have care of you in my absence. And so commending you to God's happy and heavenly protection, I rest

Your true friend,

Plymouth, this 17th of May, 1596. ESSEX.

* Among the papers of Antony Bacon, Esq. vol. XI. fol. 29, in the Lambeth library.

Mr. FRANCIS BACON to his Brother ANTONY *.

Good Brother,

YESTERNIGHT Sir John Fortescu (*a*) told me, he had not many hours before imparted to the queen your advertisements, and the gazette likewise; which the queen caused Mr. John Stanhope (*b*) to read all over unto her; and her majesty conceiveth they be not vulgar. The advertisements her majesty made estimation of as concurring with other advertisements, and alike concurring also with her opinion of the affairs. So he willed me to return you the queen's thanks. Other particular of any speech from her majesty of yourself he did not relate to me. For my lord of Essex's and your letters, he said, he was ready and desirous to do his best. But I seemed to make it but a love wish, and passed presently from it, the rather, because it was late in the night, and I mean to deal with him at some better leisure after another manner, as you shall hereafter understand from me. I do find in the speech of some ladies and the very face of the court some addition of reputation, as methinks, to us both; and I doubt not but God hath an operation in it, that will not suffer good endeavours to perish.

The queen saluted me to day, as she went to chapel. I had long speech with Sir Robert Cecil this morning, who seemed apt to discourse with me; yet of yourself, *ne verbum quidem*, not so much as a *quomodo valet?*

This I write to you in haste, *aliud ex alio*, I pray set in a course of acquainting my lord keeper what passeth, at first by me, and after from yourself. I am more and more bound to him.

Thus wishing you good health, I recommend you to God's happy preservation.

Your intire loving Brother,

From the court this 30th of May, [1596.] FR. BACON.

(*a*) Chancellor of the exchequer.

(*b*) Made treasurer of the chamber in July 1596, and in May 1605, created lord Stanhope, of Harrington in Northamptonshire.

To Sir THOMAS EGERTON, Lord Keeper of the Great Seal (*a*).

It may please your Lordship,

I AM to make humble complaint to your lordship of some hard dealing offered me by one Sympson, a goldsmith, a man noted much, as I have heard, for extremities and stoutness upon his purse: but yet I could scarcely have imagined, he would have dealt either so dishonestly towards myself, or so contemptuously towards her majesty's service. For this Lombard, pardon me, I most humbly pray your lordship, if being admonished by the street he dwells in, I give him that name, having me in bond for 300l. principal, and I having the last term confessed the action, and by his full and direct consent respited the satisfaction till the beginning of this term to come, without ever giving me warning, either by letter or message, served an execution upon me, having trained me at such time, as I came from the tower, where, Mr. Waad can witness, we attended a service of no mean importance (*b*.) Neither would he so much as vouch-

(*a*) From the original in the Hatfield collection of state papers communicated to me by the Rev. William Murdin, B. D. and intended by him for the public in a third volume of the collection of those papers, if his death had not prevented him from executing his design.

(*b*) It is not easy to determine what this service was; but it seems to relate to the examination of some prisoner; perhaps Edward Squire, executed in November, 1598, for poisoning the queen's saddle; or Valentine Thomas, who accused the king of Scots of practices against queen Elizabeth [*Historical View*, p. 178.] or one Stanley; concerning whom I shall insert here passages from two MS. letters of John Chamberlain, Esq; to his friend, Dudley Carleton, Esq; afterwards ambassador to Venice, the United Provinces, and France; these letters being part of a very large collection, from 1598 to 1625, which I transcribed from the originals. "One Stanley, *says Mr. Chamberlain, in his letter dated at London, 3 October,* 1598, that came in sixteen days over land with "letters out of Spain, is lately committed to the Tower. He was "very earnest to have private conference with her majesty, pre-"tending matter of great importance, which he would by no means "utter to any body else." In another letter dated 20 November, 1598,

safe to come and speak with me to take any order in it, though I sent for him divers times, and his house was just by; handling it as upon a despite, being a man I never provoked with a cross word, no nor with many delays. He would have urged it to have had me in prison; which he had done, had not sheriff More, to whom I sent, gently recommended me to an handsome house in Coleman-street, where I am. Now because he will not treat with me, I am inforced humbly to desire your lordship to send for him, ascording to your place, to bring him to some reason; and this forthwith, because I continue here to my farther discredit and inconvenience, and the trouble of the gentleman with whom I am. I have an hundred pounds lying by me, which he may have, and the rest upon some reasonable time and security; or, if need be, the whole; but with my more trouble. As for the contempt he hath offered, in regard her majesty's service, to my understanding, carrieth a privilege *eundo et redeundo* in meaner causes, much more in matters of this nature, especially in persons known to be qualified with that place and employment, which, though unworthy, I am vouchsafed, I inforce nothing, thinking I have done my part, when I have made it known; and so leave it to your lordship's honourable consideration. And so with signification of my humble duty, &c.

Mr. Chamberlain observes, that on "the day, that they looked for "Stanley's arraignment, he came not himself, but sent his forerunner, "one Squire, that had been an under-purveyor of the stable, who "being in Spain was dealt withal by one Walpole, a Jesuit, to "poison the queen and the earl of Essex; and accordingly came "prepared into England, and went with the earl in his own ship the "last journey, and poisoned the arms or handles of the chair "he used to sit in, with a confection he had received of the Jesuit; "as likewise he had done the pommel of the queen's saddle not "past five days before his going to sea. But because nothing "succeeded of it, the priest thinking he had either changed his "purpose, or betrayed it, gave Stanley instructions to accuse him; "thereby to get him more credit, and to be revenged of Squire "for breaking promise. The fellow confessed the whole practice, "and, as it seemed, died very penitent."

To Sir ROBERT CECIL, Secretary of State (*a*).

It may please your Honour,

I HUMBLY pray you to understand how badly I have been used by the inclosed, being a copy of a letter of complaint thereof, which I have written to the lord keeper. How sensitive you are of wrongs offered to your blood in my particular, I have had not long since experience. But herein I think your honour will be doubly sensitive, in tenderness also of the indignity to her majesty's service. For as for me, Mr. Sympson might have had me every day in London; and therefore to belay me, while he knew I came from the Tower about her majesty's special service, was to my understanding very bold. And two days before he brags he forbore me, because I dined with sheriff More. So as with Mr. Sympson, examinations at the Tower are not so great a privilege, *eundo et redeundo*, as sheriff More's dinner. But this complaint I make in duty; and to that end have also informed my lord of Essex thereof; for otherwise his punishment will do me no good.

So with signification of my humble duty, I commend your honour to the divine preservation.

At your honourable command particularly,

FR. BACON.

From Coleman-street, this 24th of September, [1598.]

The Substance of a Letter I (b) now wish your Lordship (c) should write to her Majesty.

THAT you desire her majesty to believe *id, quod res ipsa loquitur*, that it is not conscience to yourself of any advantage her majesty hath towards you, other-

(*a*) From the Hatfield collection.

(*b*) Francis Bacon.

(*c*) Robert earl of Essex.

wise than the general and infinite advantage of a queen and a mistress; nor any drift or device to win her majesty to any point or particular, that moveth you to send her these lines of your own mind. But first, and principally, gratitude; next a natural desire of, you will not say, the tedious remembrance, for you can hold nothing tedious, that hath been derived from her majesty; but the troubled and pensive remembrance of that which is past, of enjoying better times with her majesty, such as others have had, and that you have wanted. You cannot impute the difference to the continuance of time, which addeth nothing to her majesty but increase of virtue; but rather to your own misfortune or errors. Wherein nevertheless, if it were only question of your own indurances, though any strength never so good may be oppressed, yet you think you should have suffocated them, as you had often done, to the impairing of your health, and weighing down of your mind. But that, which indeed toucheth the quick, is that, whereas you accounted it the choice fruit of yourself to be a contentment and entertainment to her majesty's mind, you found many times to the contrary, that you were rather a disquiet to her, and a distaste.

Again, whereas in the course of her service, though you confess the weakness of your own judgment, yet true zeal, not misled with any mercenary nor glorious respect, made you light sometimes upon the best and soundest counsels; you had reason to fear, that the distaste particular against yourself made her majesty farther off from accepting any of them from such a hand. So as you seemed, to your deep discomfort, to trouble her majesty's mind, and to foil her business; inconveniencies, which, if you be minded as you ought, thankfulness should teach you to redeem, with stepping down, nay throwing yourself down, from your own fortune. In which intricate case, finding no end of this former course, and therefore desirous to find the beginning of a new, you have not whither to resort, but unto the oracle of her majesty's direction. For though the true introduction *ad tem-*

pora meliora be by an *amnestia* of that which is past, except it be in the sense, that the verse speaketh, *Olim hæc meminisse juvabit*, when tempests past are remembered in the calm; and that you do not doubt of her majesty's goodness in pardoning and obliterating any of your errors and mistakings heretofore; refreshing the memory and contemplations of your poor services, or any thing that hath been grateful to her majesty from you; yea, and somewhat of your sufferings, so though that be, yet you may be to seek for the time to come. For as you have determined your hope in a good hour, not willingly to offend her majesty, either in matter of court or state, but to depend absolutely upon her will and pleasure; so you do more doubt and mistrust your wit and insight in finding her majesty's mind, than your conformities and submission in obeying it; the rather, because you cannot but nourish a doubt in your breast, that her majesty, as princes hearts are inscrutible, hath many times towards you *aliud in ore, et aliud in corde.* So that you, that take her *secundum literam*, go many times farther out of your way.

Therefore your most humble suit to her majesty is, that she will vouchsafe you that approach to her heart and bosom, *et ad scrinium pectoris*, plainly, for as much as concerneth yourself, to open and expound her mind towards you, suffering you to see clear what may have bred any dislike in her majesty; and in what points she would have you reform yourself; and how she would be served by you. Which done, you do assure her majesty, she shall be both at the beginning and the ending of all, that you do, of that regard, as you may presume to impart to her majesty.

And so that hoping, that this may be an occasion of some farther serenity from her majesty towards you, you refer the rest to your actions, which may verify what you have written; as that you have written may interpret your actions, and the course you shall hereafter take.

Indorsed by Mr. Francis Bacon.

A letter framed for my lord of Essex to the queen.

To Mr. Secretary Cecil (*a*).

It may please your Honour,

BECAUSE we live in an age, where every man's imperfections is but another's fable; and that there fell out an accident in the exchequer, which I know not how, nor how soon may be traduced, though I dare trust rumour in it, except it be malicious, or extreme partial; I am bold now to possess your honour, as one, that ever I found careful of my advancement, and yet more jealous of my wrongs, with the truth of that, which passed; deferring my farther request, until I may attend your honour; and so I continue

Your Honour's very humble

and particularly bounden,

Gray's Inn, this 24th of April, 1601. Fr. Bacon.

A true remembrance of the abuse I received of Mr. Attorney General (*b*) publicly in the exchequer the first day of term; for the truth whereof I refer myself to all that were present.

I MOVED to have a reseizure of the lands of George More, a relapsed recusant, a fugitive, and a practising traytor; and shewed better matter for the queen against the discharge by plea, which is ever with a *salvo jure*. And this I did in as gentle and reasonable terms as might be.

Mr. Attorney kindled at it, and said, "Mr. Bacon, "if you have any tooth against me, pluck it out; "for it will do you more hurt than all the teeth in

(*a*) From the Hatfield collection.

(*b*) Edward Coke, knighted by king James at Greenwich in 1603; and made lord chief justice of the common pleas, 30 June, 1606.

" your head will do you good." I answered coldly in these very words; " Mr. Attorney, I respect you: " I fear you not: and the less you speak of your own " greatness, the more I will think of it."

He replied, " I think scorn to stand upon terms " of greatness towards you, who are less than little; " less than the least;" and other such strange light terms he gave me, with that insulting, which cannot be expressed.

Herewith stirred, yet I said no more but this: " Mr. Attorney, do not depress me so far; for I have " been your better, and may be again, when it please " the queen."

With this he spake, neither I nor himself could tell what, as if he had been born attorney general; and in the end bade me not meddle with the queen's business, but with mine own; and that I was unsworn, &c. I told him, sworn or unsworn was all one to an honest man; and that I ever set my service first, and myself second; and wished to God, that he would do the like.

Then he said, it were good to clap a *cap. utlegatum* upon my back! To which I only said he could not; and that he was at a fault; for he hunted upon an old scent.

He gave me a number of disgraceful words besides; which I answered with silence, and shewing, that I was not moved with them.

To Robert, Lord Cecil (*a*).

It may please your good Lordship,

THEY say late thanks are ever best. But the reason was, I thought to have seen your lordship ere this. Howsoever I shall never forget this your last favour amongst others; and it grieveth me not a little, that I find myself of no use to such an honourable and kind friend.

(*a*) From the Hatfield collection.

For that matter, I think I shall desire your assistance for the punishment of the contempt; not that I would use the privilege in future time, but because I would not have the dignity of the king's service prejudiced in my instance. But herein I will be ruled by your lordship.

It is fit likewise, though much against my mind, that I let your lordship know, that I shall not be able to pay the money within the time by your lordship undertaken, which was a fortnight. Nay, money I find so hard to come by at this time, as I thought to have become an humble suitor to your honour to have sustained me with your credit, for the present, from urgent debts, with taking up 300l. till I can put away some land. But I am so forward with some sales, as this request, I hope, I may forbear.

For my estate, because your honour hath care of it, it is thus: I shall be able, with selling the skirts of my living in Hertfordshire (*b*), to preserve the body; and to leave myself, being clearly out of debt, and having some money in my pocket, 300l. land *per annum*, with a fair house, and the ground well timbered. This is now my labour.

For my purpose or course, I desire to meddle as little as I can in the king's causes, his majesty now abounding in council; and to follow my private thrift and practice, and to marry with some convenient advancement. For as for any ambition I do assure your honour, mine is quenched. In the queen's, my excellent mistress's, time the *quorum* was small: her service was a kind of freehold, and it was a more solemn time. All those points agreed with my nature and judgment. My ambition now I shall only put upon my pen, whereby I shall be able to maintain memory and merit of the times succeeding.

Lastly, for this divulged and almost prostituted title of knighthood, I could without charge, by your honour's mean, be content to have it, both because of this late disgrace, and because I have three new

(*b*) Gorhambury.

knights in my mess in Gray's-Inn commons; and because I have found out an alderman's daughter (*c*), an handsome maiden, to my liking. So as if your honour will find the time, I will come to the court from Gorhambury, upon any warning.

How my sales go forward, your lordship shall in a few days hear. Mean while, if you will not be pleased to take farther day with this lewd fellow, I hope your lordship will not suffer him to take any part of the penalty, but principal, interest, and costs.

So I remain your Lordship's most bounden,

3 July, 1603. FR. BACON.

To the same.

It may please your good Lordship,

IN answer of your last letter, your money shall be ready before your day, principal, interest, and costs of suit. So the sheriff promised, when I released errors; and a Jew takes no more. The rest cannot be forgotten; for I cannot forget your lordship's *dum memor ipse mei:* and if there have been *aliquid nimis,* it shall be amended. And, to be plain with your lordship, that will quicken me now which slackened me before. Then I thought you might have had more use of me than now, I suppose you are like to have. Not but I think the impediment will be rather in my mind than in the matter or times. But to do you service, I will come out of my religion at any time.

For my knighthood (*a*), I wish the manner might be such as might grace me, since the matter will not; I mean, that I might not be merely gregarious in a

(*c*) Probably the lady, whom he afterwards married, Alice, one of the daughters and coheirs of Benedict Barnham, Esq; alderman of London. She survived her husband above twenty years. *Life of lord Bacon, by Dr. William Rawley.*

(*a*) He was knighted at Whitehall, 23 July, 1603.

troop. The coronation (*b*) is at hand. It may please your lordship to let me hear from you speedily. So I continue

Your Lordship's ever much bounden,

From Gorhambury, this
16th of July, 1603.

FR. BACON.

To Sir JOHN DAVIS, his Majesty's Attorney General in Ireland *.

* From the MS. collections of Robert Stephens, Esq. deceased.

Mr. Attorney,

I THANK you for your letter, and the discourse you sent of this new accident, as things then appeared. I see manifestly the beginning of better or worse: but me thinketh it is first a tender of the better, and worse followeth but upon refusal or default. I would have been glad to see your here; but I hope occasion reserveth our meeting for a vacation, when we may have more fruit of conference. To requite your proclamation, which, in my judgment, is wisely and seriously penned, I send you another with us, which happened to be in my hands when yours came. I would be glad to hear often from you, and to be advertised how things pass, whereby to have some occasion to think some good thoughts; though I can do little. At the least it will be a continuance in exercise of our friendship, which on my part remaineth increased by that I hear of your service, and the good respects I find towards myself. And so in Tormour's haste, I continue

Your very loving friend,

FR. BACON.

From Gray's-Inn, this 23d of Octob. 1607.

(*b*) It was solemnised, 24 July, 1603.

To Isaac Casaubon (*a*).

CUM ex literis, quas ad dominum Carew misisti, cognoscam scripta mea à te probari, et mihi de judicio tuo gratulatus sum, et tibi, quam ea res mihi fuerit voluptati, scribendum existimavi. Atque illud etiam de me recte auguraris, me scientias ex latebris in lucem extrahere vehementer cupere. Neque enim multum interest ea per otium scribi, quæ per otium legantur, sed plane vitam, et res humanas, et medias earum turbas, per contemplationes sanas et veras instructiores esse volo. Quanta autem in hoc genere aggrediar, et quam parvis præsidiis, postmodum fortasse rescisces. Etiam tu pariter gratissimum mihi facies, si quæ in animo habes atque moliris et agitas, mihi nota esse velis. Nam conjuctionem animorum et studiorum plus facere ad amicitias judico, quam civiles necessitatis et occasionum officia. Equidem existimo neminem unquam magis verè potuisse dicere de sese, quam me ipsum, illud quod habet psalmus, *multum incola fuit anima mea.* Itaque magis videor cum antiquis versari, quam cum his, quibuscum vivo. Quid ni etiam possim cum absentibus potius versari, quam cum iis, qui præsto sunt; et magis electione in amicitiis uti, quam occasionibus de more submitti? Verum ad institutum revertor ego; si quâ in re amicitia mea tibi aut tuis usui aut ornamento esse possit, tibi operam meam bonam atque navam polliceor. Itaque salutem tibi dicit

Amicus tuus, &c.

Indorsed, To Casaubon.

(*a*) This letter appears to have been written after Sir George Carew, mentioned in it, returned from his embassy in France, in October, 1609; and before the arrival of Casaubon in England, in Octob. 1610.

The beginning of a Letter immediately after my my Lord Treasurer's (*a*) decease (*b*).

May 29, 1612.

It may please your Majesty,

IF I shall seem in these few lines to write *majora quam pro fortunâ*, it may please your majesty to take it to be an effect, not of presumption, but of affection. For of the one, I was never noted; and for the other I could never shew it hitherto to the full; being as a hawk tied to another's fist, that might sometimes bait and proffer, but could never fly. And therefore if, as it was said to one, that spoke great words, *Amice, verba tua desiderant civitatem* (*c*), so your majesty say to me, "Bacon, your words require a place to speak "them;" I must answer, that place, or not place, is in your majesty to add or refrain: and though I never grow eager but to ****** yet your majesty ———

To the KING, immediately after the Lord Treasurer's death.

31 May, 1612.

It may please your excellent Majesty,

I cannot but endeavour to merit, considering your preventing graces, which is the occasion of these few lines.

Your majesty hath lost a great subject and a great servant. But if I should praise him in propriety, I should say, that he was a fit man to keep things from growing worse; but no very fit man to reduce things to be much better. For he loved to have the eyes of all Israel

(*a*) Robert earl of Salisbury, who died 24 May, 1612.

(*b*) The draught of this imperfect letter is written chiefly in Greek characters.

(*c*) These words of Themistocles are cited likewise by lord Bacon at the end of his book *De Augmentis Scientiarum*.

a little too much on himself, and to have all business still under the hammer; and, like clay in the hands of the potter, to mould it as he thought good; so that he was more in *in operatione* than *in opere*. And though he had fine passages of action, yet the real conclusions came slowly on. So that although your majesty hath grave counsellors and worthy persons left; yet you do, as it were, turn a leaf, wherein if your majesty shall give a frame and constitution to matters, before you place the persons, in my simple opinion it were not amiss. But the great matter, and most instant for the present, is the consideration of a parliament, for two effects: the one for the supply of your estate; the other for the better knitting of the hearts of your subjects unto your majesty, according to your infinite merit; for both which, parliaments have been, and are, the antient and honourable remedy.

Now because I take myself to have a little skill in that region, as one, that ever affected, that your majesty might, in all your causes, not only prevail, but prevail with satisfaction of the inner man; and though no man can say but I was a perfect and peremptory royalist, yet every man makes me believe that I was never one hour out of credit with the lower house: my desire is to know, whether your majesty will give me leave to meditate and propound unto you some preparative remembrances, touching the future parliament.

Your majesty may truly perceive, that, though I cannot challenge to myself either invention, or judgment, or elocution, or method, or any of those powers, yet my offering is care and observance: and as my good old mistress was wont to call me her watch-candle, because it pleased her to say, I did continually burn, and yet she suffered me to waste almost to nothing; so I must much more owe the like duty to your majesty, by whom my fortunes have been settled and raised. And so craving pardon, I rest

Your Majesty's most humble servant devote,

F. B.

To the KING.

It may please your excellent Majesty,

MY principal end being to do your majesty service, I crave leave to make at this time to your majesty this most humble oblation of myself. I may truly say with the psalm, *Multum incola fuit anima mea;* for my life hath been conversant in things, wherein I take little pleasure. Your majesty may have heard somewhat, that my father was an honest man; and somewhat yet I may have been of myself, though not to make any true judgment by, because I have hitherto had only *potestatem verborum*, nor that neither. I was three of my young years bred with an ambassador (*a*) in France, and since I have been an old truant in the school-house of your council-chamber, though on the second form; yet longer than any, that now sitteth, hath been in the head form. If your majesty find any aptness in me, or if you find any scarcity in others, whereby, you may think it fit for your service to remove me to business of state, although I have a fair way before me for profit, and by your majesty's grace and favour, for honour and advancement, and in a course less exposed to the blast of fortune; yet now that he (*b*) is gone, *quo vivente virtutibus certissimum exitium*, I will be ready as a chessman to be, whereever your majesty's royal hand shall set me. Your majesty will bear me witness, I have not suddenly opened myself thus far. I have looked on upon others. I see the exceptions; I see the distractions; and I fear Tacitus will be a prophet, *magis alii homines, quam alii mores.* I know mine own heart; and I know not, whether God, that hath touched my heart with the affection, may not touch your royal heart to discern it. Howsoever, I shall go on honestly in mine ordinary course, and supply the rest in prayers for you, remaining, &c.

(*a*) Sir Amias Poulet, who was sent ambassador to France, in September, 1576. He was succeeded by Sir Edward Stafford, in December, 1578.

(*b*) Lord Treasurer Salisbury.

To the KING. (*a*)

*** Lastly, I will make two prayers unto your majesty, as I used to do to God Almighty, when I commend to him his own glory and cause; so I will pray to your majesty for yourself.

The one is, that these cogitations of want do not any ways trouble or vex your mind. I remember, Moses saith of the land of promise, that it was not like the land of Egypt, that was watered with a river, but was watered with showers from heaven; whereby I gather, God preferreth sometimes uncertainties before certainties, because they teach a more immediate dependence upon his providence. Sure I am, *nil novi accidit vobis.* It is for no new thing for the greatest kings to be in debt: and, if a man shall *parvis componere magna*, I have seen an earl of Leicester, a chancellor Hatton, an earl of Essex, and an earl of Salisbury in debt; and, yet was it no manner of diminution to their power or greatness.

My second prayer is, that your majesty, in respect of the hasty freeing of your state, would not descend to any means, or degree of means, which carrieth not a symmetry with your majesty and greatness. He is gone, from whom those courses did wholly flow. So have your wants and necessities in particular, as it were, hanged up in two tablets before the eyes of your lords and commons to be talked of for four months together; to have all your courses to help yourself in revenue or profit put into printed books, which were wont to be held *arcana imperii:* to have such worms of aldermen to lend for ten in the hundred upon good assurance, and with such **, as if it should save the bark of your fortune: to contract still where might be had the readiest payment, and not the best bargain: to stir a number of projects for your profit, and then to blast them, and leave your majesty nothing but the scandal of them: to pretend an even carriage

(*a*) The beginning of this letter is wanting.

between your majesty's rights and the ease of the people, and to satisfy neither. These courses and others the like, I hope, are gone with the deviser of them; which have turned your majesty to inestimable prejudice. (*b*)

I hope your majesty will pardon my liberty of writing. I know these things are *majora quàm pro fortunâ:* but they are *minora quàm pro studio et voluntate.* I assure myself, your majesty taketh not me for one of a busy nature; for my state being free from all difficulties, and I having such a large field for contemplations, as I have partly, and shall much more make manifest to your majesty and the world, to occupy my thoughts, nothing could make me active, but love and affection. So praying my God to bless and favour your person and estate, &c.

To the KING.

It may please your excellent Majesty,

I HAVE, with all possible diligence since your majesty's progress, attended the service committed to the sub-commissioners, touching the repair and improvement of your majesty's means: and this I have done, not only in meeting, and conference, and debate with the rest; but also by my several and private meditation and inquiry. So that, besides the joint account, which we shall give to the lords, I hope I

(*b*) It will be but justice to the memory of the earl of Salisbury to remark, that this disadvantageous character of him by Sir Francis Bacon seems to have been heightened by the prejudices of the latter against that able minister, grounded upon some suspicions, that the earl had not served him with so much zeal, as he might have expected from so near a relation, either in queen Elizabeth's reign, or that of her successor. Nor is it any just imputation on his lordship, that he began to decline in king James I's good opinion, when his majesty's ill œconomy occasioned demands on the lord treasurer, which all his skill, in the business of the finances, could not answer, but which drew from him advices and remonstrances still extant, which that king, not being very ready to profit by, conceived some resentment against his old servant, and even retained it against his memory.

shall be able to give your majesty somewhat *ex proprio*. For as no man loveth better *consulere in commune* than I do; neither am I of those fine ones, that use to keep back any thing, wherein they think they may win credit apart, and so make the consultation almost *inutile*. So nevertheless, in cases, where matters shall fall in upon the bye, perhaps of no less worth than that, which is the proper subject of the consultation; or where I find things passed over too slightly, or in cases, where that, which I should advise, is of that nature, as I hold it not fit to be communicated to all those with whom I am joined; these parts of business I put to my private account; not because I would be officious, (though I profess I would do works of supererogation, if I could) but in a true discretion and caution. And your majesty had some taste in those notes, which I gave you for the wards, (which it pleased you to say were no tricks nor novelties, but true passages of business) that mine own particular remembrances and observations are not like to be unprofitable. Concerning which notes for the wards, though I might say, *sic vos non vobis;* yet let that pass.

I have also considered fully of that great proposition, which your majesty commended to my care and study, touching the conversion of your revenue of land into a multiplied present revenue of rent: wherein I say, I have considered of the means and course to be taken, of the assurance, of the rates, of the exceptions, and of the arguments for and against it. For though the project itself be as old as I can remember, and falleth under every man's capacity; yet the dispute and manage of it asketh a great deal of consideration and judgment; projects being like Æsop's tongues, the best meat and the worst, as they are chosen and handled. But surely, *ubi deficiunt remedia ordinaria, recurrendum est ad extraordinaria*. Of this also I am ready to give your majesty an account.

Generally upon this subject of the repair of your majesty's means, I beseech your majesty to give me leave to make this judgment, that your majesty's re-

covery must be by the medicines of the Galenists and Arabians, and not of the Chemists or Paracelsians. For it will not be wrought by any one fine extract or strong water; but by a skilful company of a number of ingredients, and those by just weight and proportion, and that of some simples, which perhaps of themselves, or in over-great quantity, were little better than poisons; but mixed, and broken, and in just quantity, are full of virtue. And secondly, that as your majesty's growing behind-hand hath been work of time; so must likewise be your majesty's coming forth and making even. Not but I wish it were by all good and fit means accelerated; but that I foresee, that if your majesty shall propound to yourself to do it *per saltum*, it can hardly be without accidents of prejudice to your honour, safety, or profit.

Indorsed,

My letter to the KING, touching his estate in general, September 18th, 1612.

In HENRICUM Principem Walliæ Elogium FRANCISCI BACONI. (*a*)

HENRICUS primogenitus regis Magnæ Britanniæ, princeps Walliæ, antea spe beatus, nunc memoriâ felix, diem suum obiit 6 Novemb. anno 1612. Is magno totius regni luctu et desiderio extinctus est, utpote adolescens, qui animos hominum nec offendisset nec satiasset. Excitaverat autem propter bonam indolem multiplices apud plurimos omnium ordinum spes, nec ob brevitatem vitæ frustraverat. Illud imprimis accessit, quod in causâ religionis firmus vulgo habebatur: prudentioribus quoque hoc animo penitus insiderat, adversus insidias conjurationum, cui malo ætas nostra vix remedium reperit, patri eum

(*a*) Harl. MSS. Vol. 1893. fol. 75. It seems to me no improbable supposition, that this character was intended to be sent to Thuanus, in order to be inserted in his excellent history, if he should have continued it to the year 1612, whereas it reached only to 1607.

instar præsidii et scuti fuisse, adeo ut et religionis et regis apud populum amor in eum redundaret, et in æstimationem jacturæ meritò annumeraretur. Erat corpore validus et erectus, staturâ mediocri, decorâ membrorum compage, incessu regio, facie oblongâ et in maciem inclinante, habitu plenior, vultu composito, oculorum motu magis sedato quam forti. Inerant quoque et in fronte severitatis signa, et in ore nonnihil fastûs. Sed tamen si quis ultra exteriora illa penetraverat, et eum obsequio debito et sermone tempestivo deliniverat, utebatur eo benigno et facili, ut alius longè videretur colloquio quam aspectu, talisque prorsus erat, qui famam sui excitaret moribus dissimilem. Laudis et gloriæ fuit procul dubio appetens, et ad omnem speciem boni et auram decoris commovebatur; quod adolescenti pro virtutibus est. Nam et arma ei in honore erant ac viri militares; quin et ipse quiddam bellicum spirabat; et magnificentiæ operum, licet pecuniæ alioquin satis parcus, deditus erat: amator insuper antiquitatis et artium. Literis quoque plus honoris attribuit quam temporis. In moribus ejus nihil laudandum magis fuit, quam quod in omni genere officiorum probè institutus credebatur et congruus: filius regi patri mirè obsequens, etiam reginam multo cultu demerebat, erga fratrem indulgens; sororem verò unicè amabat, quam etiam, quantum potuit virilis forma ad eximiam virginalem pulchritudinem collata, referebat. Etiam magistri et educatores pueritiæ ejus, quod rarò fieri solet, magnâ in gratiâ apud eum manserant. Sermone verò obsequii idem exactor et memor. Denique in quotidiano vitæ genere, et assignatione horarum ad singula vitæ munera, magis quam pro ætate constans atque ordinatus. Affectus ei inerant non nimium vehementes, et potius æquales quam magni. Etenim de rebus amatoriis mirum in illâ ætate silentium, ut prorsus lubricum illud adolescentiæ suæ tempus in tantâ fortunâ, et valetudine satis prosperâ, absque aliquâ insigni notâ amorum transigeret. Nemo reperiebatur in aulâ ejus apud eum præpotens, aut in animo ejus validus: quin et studia ipsa, quibus capiebatur maximè, potius

tempora patiebantur quam excessus, et magis repetita erant per vices, quam quod extaret aliquod unum, quod reliqua superaret et compesceret, sive ea moderatio fuit, sive in naturâ non admodum præcoci, sed lentè maturescente, non cernebantur adhuc quæ prævalitura erant. Ingenio certè pollebat, eratque et curiosus satis et capax, sed sermone tardior et tanquam impeditus: tamen si quis diligenter observaverat ea, quæ ab eo proferebantur, sive quæstionis vim obtinebant, sive sententiæ, ad rem omnino erant, et captum non vulgarem arguebant; ut in illâ loquendi tarditate et raritate judicium ejus magis suspensum videretur et anxium, quam infirmum aut hebes. Interim audiendi miris modis patiens, etiam in negotiis, quæ in longitudinem porrigebantur; idque cum attentione et sine tædio, ut rarò animo peregrinaretur aut fessâ mente aliquid ageret, sed ad ea, quæ dicebantur, aut agebantur, animum adverteret atque applicaret; quod magnam ei, si vita suppetiisset, prudentiam spondebat. Certe in illius principis naturâ plurima erant obscura, neque judicio cujuspiam patefacienda, sed tempore, quod ei præreptum est. Attamen quæ apparebant, optima erant, quod famæ satis est. Mortuus est ætatis suæ anno decimo nono ex febri contumaci, quæ ubique à magnis et insulanis fere insolitis siccitatibus ac fervoribus orta per æstatem populariter grassabatur, sed raro funere; dein sub autumnum erat facta lethalior. Addidit fama atrocior, ut ille (*b*) ait, erga dominantium exitus suspicionem veneni. Sed cum nulla ejus rei extarent indicia, præsertim in ventriculo, quod præcipuè à veneno pati solet, is sermo citò evanuit.

(*b*) Tacit. Annal. l. iv. 11.

The following translation is an attempt, for the sake of the English reader, to give the sense of the original, without pretending to reach the force and conciseness of expression peculiar to the great writer as well as to the Roman language.

HENRY Prince of Wales, eldest son of the king of Great Britain, happy in the hopes conceived of him, and now happy in his memory, died on the 6th of Nov. 1612, to the extreme concern and regret of the whole kingdom, being a youth, who had neither offended nor satiated the minds of men. He had by the excellence of his disposition excited high expectations among great numbers of all ranks; nor had through the shortness of his life disappointed them. One capital circumstance added to these was the esteem, in which he was commonly held, of being firm to the cause of religion: and men of the best judgment were fully persuaded, that his life was a great support and security to his father from the danger of conspiracies; an evil, against which our age has scarce found a remedy; so that the people's love of religion and the king overflowed to the prince; and this consideration deservedly heightened the sense of the loss of him. His person was strong and erect; his stature of a middle size; his limbs well made; his gait and deportment majestic; his face long and inclining to leanness; his habit of body full; his look grave, and the motion of his eyes rather composed than spirited. In his countenance were some marks of severity, and in his air some appearance of haughtiness. But whoever looked beyond these outward circumstances, and addressed and softened him with a due respect and seasonable discourse, found the prince to be gracious and easy; so that he seemed wholly different in conversation from what he was in appearance, and in fact raised in others an opinion of himself very unlike what his manner would at first

have suggested. He was unquestionably ambitious of commendation and glory, and was strongly affected by every appearance of what is good and honourable; which in a young man is to be considered as virtue. Arms and military men were highly valued by him; and he breathed himself something warlike. He was much devoted to the magnificence of buildings and works of all kinds, though in other respects rather frugal; and was a lover both of antiquity and arts. He shewed his esteem of learning in general more by the countenance which he gave to it, than by the time which he spent in it. His conduct in respect of morals did him the utmost honour; for he was thought exact in the knowledge and practice of every duty. His obedience to the king his father was wonderfully strict and exemplary: towards the queen he behaved with the highest reverence: to his brother he was indulgent; and had an intire affection for his sister, whom he resembled in person as much as that of a young man could the beauty of a virgin. The instructors of his younger years (which rarely happens) continued high in his favour. In conversation he both expected a proper decorum, and practised it. In the daily business of life, and the allotment of hours for the several offices of it, he was more constant and regular than is usual at his age. His affections and passions were not strong, but rather equal than warm. With regard to that of love, there was a wonderful silence, considering his age, so that he passed that dangerous time of his youth, in the highest fortune, and in a vigorous state of health, without any remarkable imputation of gallantry. In his court no person was observed to have any ascendant over him, or strong interest with him: and even the studies, with which he was most delighted, had rather proper times assigned them, than were indulged to excess, and were rather repeated in their turns, than that any one kind of them had the preference of, and controlled the rest: whether this arose from the moderation of his temper, and that in a genius not very forward, but ripening by slow degrees,

it did not yet appear what would be the prevailing object of his inclination. He had certainly strong parts, and was endued with both curiosity and capacity; but in speech he was slow, and in some measure hesitating. But whoever diligently observed what fell from him either by way of question or remark, saw it to be full to the purpose, and expressive of no common genius. So that under that slowness and infrequency of discourse, his judgment had more the appearance of suspence and solicitude to determine rightly, than of weakness and want of apprehension. In the mean time he was wonderfully patient in hearing, even in business of the greatest length; and this with unwearied attention, so that his mind seldom wandered from the subject, or seemed fatigued, but he applied himself wholly to what was said or done: which (if his life had been lengthened) promised a very superior degree of prudence. There were indeed in the prince some things obscure, and not to be discovered by the sagacity of any person, but by time only, which was denied him; but what appeared were excellent, which is sufficient for his fame.

He died in the 19th year of his age of an obstinate fever, which during the summer, through the excessive heat and dryness of the season, unusual to islands, had been epidemical, though not fatal, but in autumn became more mortal. Fame, which, as Tacitus says, is more tragical with respect to the deaths of princes, added a suspicion of poison: but as no signs of this appeared, especially in his stomach, which uses to be chiefly affected by poison, this report soon vanished.

To the KING.

May it please your Majesty,

ACCORDING to your highness's pleasure signified by my lord Chamberlain (*a*), I have considered of

(*a*) Thomas Howard, earl of Suffolk.

the petition of certain baronets (*b*) made unto your majesty for confirmation and extent or explanation of certain points mentioned in their charter; and am of opinion, that first, whereas it is desired, that the baronets be declared a middle degree between baron and knight, I hold this to be reasonable as to their placing.

Secondly, where it is desired, that unto the words *degree or dignity of baron*, the word *honour* might be added; I know very well, that in the preface of the baronet's patent it is mentioned, that all honours are derived from the king. I find also, that in the patent of the baronets, which are marshalled under the barons, except it be certian principals, the word *honour* is granted. I find also, that the word *dignity* is many times in law a superior word to the word *honour*, as being applied to the king himself, all capital indictments concluding *contra coronam et dignitatem nostram*. It is evident also, that the word *honour* and *honourable* are used in these times in common speech very promiscuously. Nevertheless, because the style of honour belongs chiefly to peers and counsellors, I am doubtful what opinion to give therein.

Thirdly, whereas it is believed, that if there be any question of precedence touching baronets, it may be ordered that the same be decided by the commissioners marshal, I do not see but it may be granted them for avoiding disturbances.

Fourthly, for the precedence of baronets, I find no alteration or difficulty, except it be in this, that the daughters of baronets are desired to be declared to have precedence before the wives of knights eldest sons; which, because it is degree hereditary, and that in all examples, the daughters in general have place next the eldest brothers wives, I hold convenient.

(*b*) The order of baronets was created by patent of king James I. dated the 22d of May, 1611. The year following, a decree was made relating to their place and precedence, and four years after, namely, in 1616, another decree to the same purpose. See Selden's *Titles of Honour*, Part II. Ch. V. p. 821. Ch. XI. p. 906, and 910. 2d Edit. fol. 1631.

Lastly, whereas it is desired, that the apparent heirs-males of the bodies of the baronets may be knighted during the life of their fathers; for that I have received from the lord Chamberlain a signification, that your majesty did so understand it, I humbly subscribe thereunto, with this, that the baronets eldest sons being knights do not take place of antient knights, so long as their fathers live.

All which nevertheless I humble submit to your majesty's better judgment.

Your Majesty's most humble

and most bounden servant,

FR. BACON.

The charge against Mr. WHITELOCKE. (*a*)

My Lords,

THE offence, wherewith Mr. Whitelocke is charged, for as to Sir Robert Mansell, I take it to my part only to be sorry for his error, is a contempt of a high nature, and resting upon two parts: on the one,

(*a*) He had been committed, in May 1613, to the Fleet, for speaking too boldly against the marshal's court, and for giving his opinion to Sir Robert Mansell, treasurer of the navy, and vice-admiral, that the commission to the earl of Nottingham, lord high admiral, for reviewing and reforming the disorders committed by the officers of the navy, was not according to law; though Mr. Whitelocke had given that opinion only in private to his client, and not under his hand. Sir Robert Mansell was also committed to the Marshalsea, for animating the lord admiral against the commission. [Sir Ralph Windwood's *Memorials of State*, Vol. III. p. 460.] This Mr. Whitelocke was probably the same with James Whitelocke, who was born in London, 28 November, 1572, educated at Merchant-taylors school there, and St. John's college in Oxford, and studied law in the Middle Temple, of which he was summer reader in 1619. In the preceding year, 1618, he stood for the place of recorder of the city of London, but was not elected to it, Robert Heath, Esq; being chosen on the 10th of November, chiefly by the recommendation of the king, the city having been told, that they must choose none, whom his majesty should refuse, as he did in particular except to Mr. Whitelocke by name [MS. letter of M. Chamberlain to Sir Dudley Carleton, November 14, 1618.] Mr. Whitelocke, however, was called to

a presumptuous and licentious censure and defying of his majesty's prerogative in general; the other a slander and traducement of one act or emanation hereof, containing a commission of survey and reformation of abuses in the office of the navy.

This offence is fit to be opened and set before your lordships, as it hath been well begun, both in the true state and in the true weight of it. For as I desire, that the nature of the offence may appear in its true colours; so, on the other side, I desire, that the shadow of it may not darken or involve any thing that is lawful, or agreeable with the just and reasonable liberty of the subject.

First, we must and do agree, that the asking, and taking, and giving of counsel in law is an essential part of justice; and to deny that, is to shut the gate of justice, which in the Hebrews commonwealth was therefore held in the gate, to shew all passage to justice must be open: and certainly counsel in law is one of the passages. But yet, for all that, this liberty is not infinite and without limits.

If a jesuited papist should come, and ask counsel (I put a case not altogether feigned) whether all the acts of parliament made in the time of queen Elizabeth and king James are void or no; because there are no lawful bishops sitting in the upper house, and a parliament must consist of lords spiritual and temporal and commons; and a lawyer will set it under his hand, that they be all void, I will touch him for high treason upon this his counsel.

So, if a puritan preacher will ask counsel, whether he may stile the king Defender of the Faith, because he receives not the discipline and presbytery; and the lawyer will tell him, it is no part of the king's stile, it will go hard with such a lawyer.

Or if a tribunitious popular spirit will go and ask a

the degree of serjeant in Trinity-term 1620, knighted, made chief justice of Chester; and at last, on the 18th of October, 1624, one of the justices of the King's-bench; in which post he died June, 1632. He was father of Bulstrode Whitelocke, Esq; commissioner of the great seal.

lawyer, whether the oath and band of allegiance be to the kingdom and crown only, and not to the king, as was Hugh Spenser's case, and he deliver his opinion as Hugh Spenser did; he will be in Hugh Spenser's danger.

So as the privilege of giving counsel proveth not all opinions: and as some opinions given are traiterous; so are there others of a much inferior nature, which are contemptuous. And among these I reckon Mr. Whitelocke's; for as for his loyalty and true heart to the king, God forbid I should doubt it.

Therefore let no man mistake so far, as to conceive, that any lawful and due liberty of the subject for asking counsel in law is called in question when points of disloyalty or of contempt are restrained. Nay, we see it is the grace and favour of the king and his courts, that if the case be tender, and a wise lawyer in modesty and discretion refuseth to be of counsel, for you have lawyers sometimes too nice as well as too bold, they are then ruled and assigned to be of counsel. For certainly counsel is the blind man's guide; and sorry I am with all my heart, that in this case the blind did lead the blind.

For the offence, for which Mr. Whitelocke is charged, I hold it great, and to have, as I said at first, two parts; the one a censure, and, as much as in him is, a circling, nay a clipping, of the king's prerogative in general: the other, a slander and depravation of the king's power and honour in this commission.

And for the first of these, I consider it again in three degrees: first, that he presumed to censure the king's prerogative at all. Secondly, that he runneth into the generality of it more than was pertinent to the present question. And lastly, that he hath erroneously, and falsely, and dangerously given opinion in derogation of it.

First, I make a great difference between the king's grants and ordinary commissions of justice, and the king's high commissions of regiment, or mixed with causes of state.

For the former, there is no doubt but they may be freely questioned and disputed, and any defect in matter or form stood upon, though the king be many times the adverse party:

But for the latter sort, they are rather to be dealt with, if at all, by a modest, and humble intimation or remonstrance to his majesty and his council, than by bravery of dispute or peremptory opposition.

Of this kind is that properly to be understood, which is said in Bracton, *De chartis et factis regiis non debent aut possunt justitiarii aut privatæ personæ disputare, sed tutius est, ut expectetur sententia regis.*

And the king's courts themselves have been exceeding tender and sparing in it; so that there is in all our law not three cases of it. And in that very case of 24 Ed. 3. ass. pl. s. which Mr. Whitelocke vouched, where, as it was a commission to arrest a man, and to carry him to prison, and to seize his goods without any form of justice or examination preceding; and that the judges saw it was obtained by surreption: yet the judges said they would keep it by them, and shew it to the king's council.

But Mr. Whitelocke did not advise his client to acquaint the king's council with it, but presumptuously giveth opinion, that it is void. Nay, not so much as a clause or passage of modesty, as that he submits his opinion to censure: that it is too great a matter for him to deal in; or this is my opinion, which is nothing, &c. But *illotis manibus*, he takes it into his hands, and pronounceth of it, as a man would scarcely do of a warrant of a justice of peace, and speaks like a dictator, that *this is law*, and *this is against law*, &c. (*b*)

ROBERT.

(*b*) Sir H. Wotton, in a letter of his to Sir Edmund Bacon, [*Reliq. Wotton*, p. 421. edit. 3d] written about the beginning of June, 1613, mentions, that Sir Robert Mansell and Mr. Whitelocke were, on the Saturday before, called to a very honourable hearing in the queen's presence-chamber at Whitehall, before the lords of the council, with intervention of the lord chief justice Coke, the lord chief baron Tan-

ROBERT Earl of SOMERSET to Sir THOMAS OVERBURY (*a*). From a copy among Lord BACON's papers in the Lambeth library.

SIR,

I HAVE considered that my answer to you, and what I have otherwise to say, will exceed the bounds of a letter; and now having not much time to use betwixt my waiting on the king, and the removes we do make in this our little progress, I thought fit to use the same man to you, whom I have heretofore many times employed in the same business. He has, besides an account and a better description of me to give you, to make a repetition of the former carriages of all this business, that you may distinguish that, which he did by knowledge of mine and direction, and betwixt that he did out of his own discretion without my warrant. With all this he has to renew to you a former desire of mine, which was the ground-work of this, and the chief errand of his coming to you, wherein I desire your answer by him. I would not employ this gentleman to you, if he were, as you conceit of him, your unfriend, or an ill instrument betwixt us. So owe him the testimony of one,

Tanfield, and the master of the rolls; the lord chief justice of the King's-bench, Fleming, being kept at home by some infirmity. There the attorney and solicitor first undertook Mr. Whitelocke, and the recorder, [Henry Montagu], as the king's serjeant, Sir Robert Mansell, charging the one as a counsellor, the other as a questioner, in matters of the king's prerogative and sovereignty upon occasion of a commission intended for a research into the administration of the admiralty. "Whitelocke in his answer," *adds Sir Henry Wotton,* "spake more confusedly than was expected from a lawyer; and the "knight more temperately than was expected from a soldier.... "Whitelocke ended his speech with an absolute confession of his "own offence, and with a promise of employing himself hereafter in "defence of the king's prerogative.... In this they generally agreed, "both counsellors and judges, to represent the humiliation of both "the prisoners to the king, in lieu of innocency, and to intercede "for his gracious pardon: which was done, and accordingly the "next day they were inlarged upon a submission under writing."

(*a*) He was committed to the Tower on the 21st of April, 1613, and died there of poison on the 15th of September following.

that has spoken as honestly, and given more praises of you, than any man, that has spoken to me.

My haste at this time makes me to end sooner than I expected: but the subject of my next sending shall be to answer that part you give me in your love, with a return of the same from

Your assured loving friend,

R. SOMERSET.

Indorsed,

Lord Somerset's first letter.

To the KING.

It may please your most excellent Majesty,

HAVING understood of the death of the lord Chief Justice, (*a*) I do ground in all humbleness an assured hope, that your majesty will not think of any other but your poor servants, your attorney (*b*), and your solicitor, (*c*) one of them, for that place. Else we shall be like Noah's dove, not knowing where to rest our feet. For the places of rest, after the extreme painful places, wherein we serve, have used to be either the lord Chancellor's place, or the mastership of the rolls, or the places of the chief justices: whereof, for the first, I could be almost loth to live to see this worthy counsellor fail. The mastership of the rolls is blocked with a reversion. (*d*) My lord Coke is like to out-live us both. So as, if this turn fail, I for my part know not whither to look. I have served your majesty above a prenticehood, full seven years and more, as your solicitor, which is, I think,

(*a*) Sir Thomas Fleming, who died about August 1613.

(*b*) Sir Henry Hobart, who was made lord chief justice of the common pleas, November 26, 1613, in the room of Sir Edward Coke, removed to the post of lord chief justice of the King's Bench, October 25.

(*c*) Sir Francis Bacon himself, who was appointed attorney general, October 27, 1613.

(*d*) To Sir Julius Cæsar.

one of the painfulest places in your kingdom, specially as my employments have been; and God hath brought mine own years to fifty-two, which I think is older than ever any solicitor continued unpreferred. My suit is principally, that you would remove Mr. Attorney to the place. If he refuse, then I hope your majesty will seek no farther than myself, that I may at last, out of your majesty's grace and favour, step forwards to a place either of more comfort or more ease. Besides, how necessary it is for your majesty to strengthen your service amongst the judges by a chief justice, which is sure to your prerogative, your majesty knoweth. Therefore I cease farther to trouble your majesty, humbly craving pardon, and relying wholly upon your goodness and remembrance, and resting in all true humbleness,

Your Majesty's most devoted,
and faithful subject and servant,
FR. BACON.

Reasons why it should be exceeding much for his majesty's service to remove the Lord COKE from the place he now holdeth (*a*) to be Chief Justice of England, (*b*) and the Attorney (*c*) to succeed him, and the Solicitor (*d*) the Attorney.

FIRST, it will strengthen the king's causes greatly amongst the judges: for both my lord Coke will think himself near a privy counsellor's place, and thereupon turn obsequious; and the attorney general,

(*a*) Of chief justice of the common pleas, having been appointed to that offence June 30, 1606.
(*b*) He was advanced to that office October 25, 1613.
(*c*) Sir Henry Hobart, who had been appointed attorney general July 4, 1606.
(*d*) Sir Francis Bacon, who had been sworn solicitor general June 25, 1607.

a new man, and a grave person, in a judge's place, will come in well to the other, and hold him hard to it, not without emulation between them, who shall please the king best.

Secondly, the attorney general sorteth not so well with his present place, being a man timid and scrupulous both in parliament and other business, and one, that in a word was made fit for the late lord Treasurer's bent, which was to do little with much formality and protestation: whereas the now solicitor going more roundly to work, and being of a quicker and more earnest temper, and more effectual in that he dealeth in, is like to recover that strength to the king's prerogative, which it hath had in times past, and which is due unto it. And for that purpose there must be brought in to be solicitor some man of courage and speech, and a grounded lawyer; which done, his majesty will speedily find a marvellous change in his business. For it is not to purpose for the judges to stand well-disposed, except the king's council, which is the active and moving part, put the judges well to it; for in a weapon, what is a back without an edge?

Thirdly, the king shall continue and add reputation to the attorney's and solicitor's place, by this orderly advancement of them; which two places are the champion's places for his rights and prerogative; and being stripped of their expectations and successions to great place, will wax vile; and then his majesty's prerogative goeth down the wind. Besides, the remove of my lord Coke to a place of less profit, though it be with his will, yet will be thought abroad a kind of discipline to him for opposing himself in the king's causes; the example whereof will contain others in more awe.

Lastly, whereas now it is voiced abroad touching the supply of places, as if it were a matter of labour and canvass, and money; and other persons are chiefly spoken of to be the men, and the great suitors; this will appear to be the king's own act, and is a course so natural and regular, as it is without all

suspicion of these by-courses, to the king's infinite honour. For men say now, the king can make good second judges, as he hath done lately (*e*); but that is no mastery, because men sue to be kept from these places. But now is the trial in those great places, how his majesty can hold good, where there is great suit and means.

To the KING.

It may please your most excellent Majesty,

WE have, with all possible care and diligence, considered Cotton's (*a*) cause, the former and the latter,

(*e*) Sir John Dodderidge was made judge of the King's-bench, November 25, 1612, and Sir Augustin Nichols of the common pleas the day following.

(*a*) The case of this gentleman will render the detail of it necessary for the illustration of this letter; and the circumstances of it, not known in our history, may be thought to deserve the reader's attention. He was a native of the West of England, and a recusant, against whom a proclamation was issued in June 1613, charging him with high treason against the king and state for having published a very scandalous and railing book against his majesty, under the title of *Balaam's Ass*, which was dropt in the gallery at Whitehall. Just at the time of publishing this proclamation, he happened to cross the Thames, and enquiring of the waterman what news? they, not knowing him, told him of the proclamation. At landing, he muffled himself up in his cloke, to avoid being known; but had not gone many paces, when one Mr. Maine, a friend of his meeting and discovering him, warned him of his danger; and being asked what he would advise him to do, recommended it to him to surrender himself; which he did to the earl of Southampton. He denied himself to be the author of the libel: but his study being searched, among his papers were found many parts of the book, together with relics of those persons, who had been executed for the gun-powder treason, as one of Sir Everard Digby's fingers, a toe of Thomas Percy, some other part of Catesby or Rookewood, and a piece of one of Peter Lambert's ribs. He was kept prisoner in the Tower till March 1618, when the true author of the libel was discovered to be John Williams, Esq; a barrister of the Middle Temple, who had been expelled the house of commons on account of his being a papist. The discovery was owing to this accident: a pursuivant in want of money, and desirous to get some by his employment, waited at the Spanish ambassador's

touching the book and the letter in the gilt apple, and have advisedly perused and weighed all the examinations and collections which were formerly taken;

door, to see if he could light upon any prey. At last came out Mr. Williams, unknown to the pursuivant; but carrying, in his conceit, the countenance of a priest. The pursuivant, therefore followed him to his inn, where Williams having mounted his horse, the pursuivant came to him, and told him, that he must speak a word or two with him. "Marry, with all my heart, *said Williams:* what is your pleasure?" *You must light,* answered the pursuivant; *for you are a priest.* "A priest? *replied Williams:* I have a good warrant to the contrary, for I have a wife and children." Being, however, obliged to dismount, the pursuivant searched him; and in his pocket was found a bundle of papers sealed up; which the pursuivant going to open, Williams made some resistance, pretending they were evidences of a gentleman, whose law-businesses he transacted. The pursuivant insisting upon opening the papers, among them was found *Balaam's Ass,* with new annotations; of which, upon examination, *Williams* confessed himself to be the author. He was brought to trial on the 3d of May, 1619, for writing that and another book intitled *Speculum Regale;* in both of which he had presumed to prophecy, that the king would die in 1621, grounding this prediction on the prophecy of Daniel, where the prophet speaks of *time and times, and half a time.* He farther affirmed, that Antichrist will be revealed, when sin shall be at the highest; and then the end is nigh: that such is our time; sin is now at the highest; *ergo* that the land is the abomination of desolation mentioned by Daniel, and the habitation of devils, and the antimark of Christ's church. Williams's defence was, 1. That what he had written was not with any malice or disloyalty of heart towards the king, but purely from affection, and by way of caution and admonition, that his majesty might avoid the mischiefs likely to befal him; having added in his book, when he delivered the threats of judgment and destruction, *which God avert,* or such words: 2. That the matter rested only in opinion and thought, and contained no overt act; no rebellion, treason, or other mischief following it. 3. That he had inclosed his book in a box sealed up, and secretly conveyed it to the king, without ever publishing it. But the court was unanimously of opinion, that he was guilty of high treason; and that the words contained in the libel, as cited above, imported the end and destruction of the king and his realm; and that antichristianism and false religion were maintained in the said realm; which was a motive to the people to commit treasons, to raise rebellions, &c. and that the writing of the book was a publication. *Reports of Henry Rolle, serjeant at law, part* II. *p.* 88. In consequence of this judgment he had a sentence of death passed upon him, which was executed over-against Charing-Cross two days after. MS. letters of Mr. Thomas

wherein we might attribute a good deal of worthy industry and watchful inquiry to my lord of Canterbury. We thought fit also to take some new examinations; which was the cause we certified no sooner. Upon the whole matter, we find the cause of his imprisonment just, and the suspicions and presumptions many and great; which we little need to mention, because your majesty did relate and inforced them to us in better perfection, than we can express them. But, nevertheless, the proofs seem to us to amount to this, that it was possible he should be the man; and that it was probable likewise, he was the man: but no convicting proofs, that may satisfy a jury of life and death, or that may make us take it upon our conscience, or to think it agreeable to your majesty's honour, which next our conscience to God, is the dearest thing to us on earth, to bring it upon the stage: which, notwithstanding we, in all humbleness, submit to your majesty's better judgment. For his liberty, and the manner of his delivery, he having

Lorkin to Sir Thomas Puckering, Bart. dated at London, June the 24th and 30th, 1613, and March the 16th, 161⅞, and May the 4th and 5th, 1619, among the Harleian MSS. Vol. 7002. At his death he adhered to his profession of the Roman Catholic religion, and died with great resolution. He prayed for the king and prince; and said, that he was sorry for having written so saucily and irreverently; but pretended that he had an inward warrant and particular illumination to understand certain hard passages of Daniel and the Revelation, which made him adventure so far. MS. letter of John Chamberlain, Esq; to Sir Dudley Carleton, dated at London, May 8, 1619.

This case was urged against the *seven bishops* at their trial in king James II's reign by Sir William Williams, then solicitor general, who observed, *Trial, p.* 76, that it had been made use of by Mr. solicitor general Finch on the trial of Col. Sidney, and was the great "case relied upon, and that guided and governed that case;" though there is nothing of this, that appears in the printed trial of Sidney.

It is but justice to the memory of our great antiquary, Sir Robert Cotton, Bart. to remark here a mistake of Dr. Thomas Smith in his life of Sir Robert, p. 26. prefixed to his catalogue of the Cottonian library, where he has confounded the Cotton, mentioned in the beginning of this note, with Sir Robert Cotton, and erroneously supposed, that the suspicion of having written the libel had fallen upon the latter.

so many notes of a dangerous man, we leave it to your princely wisdom. And so commending your majesty to God's precious custody, we rest

Your Majesty's most humble and bounden servants,

22 Jan. 1613.

FR. BACON.
H. MONTAGU.
H. YELVERTON.

To JOHN MURRAY (*a*) of the Bed Chamber to the KING (*b*.)

Mr. Murray,

I KEEP the same measure in a proportion with my master, and with my friend; which is, that I will never deceive them in any thing, which is in my power; and when my power faileth my will, I am sorry.

Monday is the day appointed for performing his majesty's commandment. Till then I cannot tell what to advise you farther, except it should be this, that in case the judges should refuse to take order in it themselves, then you must think of some warrant to Mr. Secretary, who is your friend, and constant in the businesses, that he see forthwith his majesty's commandment executed, touching the double lock; and, if need be, repair to the place, and see by view the manner of keeping the seal; and take order, that there be no stay for working of the seal of justice, nor no prejudice to Killegrew's farm, nor to the duty of money paid to the chief justice. Whether this may require your presence, as you write, that yourself can best judge. But of this more, when we have received the judges answer. It is my duty, as much

(*a*) He was created Viscount of Annan in Scotland, in August, 1622. *Negotiations of Sir Thomas Roe, in his embassy to the Ottomon Porte, p.* 93. In April, 1524, the lord Annan was created earl of Annandale in Scotland. Ibid. p. 250.

(*b*) This, and the three following letters, are printed from Harl. MSS. Vol 6986.

as in me is, to procure my master to be obeyed. I ever rest

Your friend and assured

January 21, 1614.

Fr. Bacon.

I pray deliver the inclosed letter to his majesty.

To his very good friend Mr. John Murray, of his majesty's bed chamber.

To Mr. Murray.

Mr. Murray,

MY Lord Chancellor, yesterday in my presence, had before him the judges of the common pleas, and hath performed his majesty's royal command in a very worthy fashion, such as was fit for our master's greatness; and because the king may know it, I send you the inclosed. This seemeth to have wrought the effect desired; for presently I sent for Sir Richard Cox (*a*), and willed him to present himself to my lord Hobart, and signify his readiness to attend. He came back to me, and told me, all things went on. I know not what afterwards may be; but I think this long chace is at an end. I ever rest

Your's assured,

January 25, 1614.

Fr. Bacon.

To Mr. Murray.

Mr. Murray,

I PRAY deliver the inclosed to his majesty, and have care of the letter afterwards. I have written

(*a*) He was one of the masters of the green cloth, and had had a quarrel at court during the Christmas holy-days of the year 1614, with Sir Thomas Erskine; which quarrel was made up by the lords of the marshal's court, Sir Richard being obliged to put up with very foul words. MS. letter of Mr. Chamberlain to Sir Dudley Carleton, January 12, 161$\frac{4}{5}$.

also to his majesty about your reference to this purpose, that if you can get power over the whole title, it may be safe for his majesty to assent, that you may try the right upon the deed. This is the farthest I can go. I ever rest

Your's assured,

February 28, 1614.

FR. BACON.

To the KING.

May it please your most excellent Majesty,

I SEND your majesty inclosed, a copy of our last examination of Peacham (*a*), taken the 10th of this

(*a*) Edmund Peacham, a minister in Somersetshire [MS. letter of Mr. Chamberlain, dated January 5, 161$\frac{4}{5}$]. I find one of both his names, who was instituted into the vicarage of Ridge in Hertfordshire, July 22, 1581, and resigned it in 1587 [Newcourt, *Repertor.* Vol. I. p. 864.] Mr. Peacham was committed to the Tower for inserting several treasonable passages in a sermon *never preached, nor*, as Mr. justice Croke remarks in his *Reports* during the reign of king Charles I, p. 125, *ever intended to be preached.* Mr. Chamberlain, in a letter of the 9th of February, 161$\frac{4}{5}$, to Sir Dudley Carleton, mentions Mr. Peacham's having been "stretched already, "though he be an old man, and, they say, much above threescore; "but they could wring nothing out of him more than they had at "first in his papers. Yet the king is extremely incensed against "him, and will have him prosecuted to the uttermost." In another letter, dated February 23, we are informed, that the king, since his coming to London on the 15th, had had "the opinion of the "judges severally in Peacham's case; and it is said, that most of "them concur to find it treason: yet my lord chief justice [Coke] "is for the contrary; and if the lord Hobart, that rides the western "circuit, can be drawn to jump with his colleague, the chief baron "[Tanfield,] it is thought he shall be sent down to be tried, and "trussed up in Somersetshire." In a letter of the 2d of March, 161$\frac{4}{5}$, Mr. Chamberlain writes, "Peacham's trial at the western "assizes is put off, and his journey stayed, though Sir Randall Crew, "the king's serjeant, and Sir Henry Yelverton, the solicitor, were "ready to go to horse to have waited on him there." "Peacham, "the minister, *adds he in a letter of the 13th of July*, 1615, that "hath been this twelve month in the Tower, is sent down to be "tried for treason in Somersetshire before the lord chief baron and "Sir Henry Montagu the recorder. The lord Hobart gave over "that circuit the last assizes. Sir Randall Crew and Sir Henry "Yelverton, the king's serjeant and solicitor, are sent down to

present; whereby your majesty may perceive, that this miscreant wretch goeth back from all, and denieth his hand and all. No doubt, being fully of belief, that he should go presently down to his trial, he meant now to repeat his part, which he purposed to play in the country, which was to deny all. But your majesty in your wisdom perceiveth, that this denial of his hand, being not possible to be counterfeited, and to be sworn by Adams, and so oft by himself formerly confessed and admitted, could not mend his case before any jury in the world, but rather aggravateth it by his notorious impudency and falshood, and will make him more odious. He never deceived me; for when others had hopes of discovery, and thought time well spent that way, I told your majesty *pereuntibus mille figuræ;* and that he now did but turn himself into divers shapes, to save or delay his punishment. And therefore submitting myself to your majesty's high wisdom, I think myself bound in conscience to put your majesty in remembrance, whether Sir John Sydenham (*b*) shall be detained upon this man's impeaching, in whom there is no truth. Nothwithstanding, that farther inquiry be made of this other Peacham, and that information and light be taken from Mr. Poulet (*c*) and his servants,

" prosecute the trial." The event of this trial, which was on the 7th of August, appears from Mr. Chamberlain's letter of the 14th of that month, wherein, it is said, that " seven knights were taken " from the bench, and appointed to be of the jury. He defended " himself very simply, but obstinately and doggedly enough. But " his offence was so foul and scandalous, that he was condemned of " high treason; yet not hitherto executed, nor perhaps shall be, if " he have the grace to submit himself, and shew some remorse." He died, as appears from another letter of the 27th of March, 1616, in the jail at Taunton, where he was said to have " left behind a " most wicked and desperate writing, worse than that he was " convicted for."

(*b*) He had been confronted about the end of February, or beginning of March, 161$\frac{4}{5}$, with Mr. Peacham, about certain speeches, which had formerly passed between them. MS. letter of Mr. Chamberlain to Sir Dudley Carleton, from London, March 2, 161$\frac{4}{5}$.

(*c*) John Poulet, Esq; knight of the shire for the county of Somerset in the parliament, which met April 5, 1614. He was created lord Poulet of Henton St. George, June 23, 1627.

I hold it, as things are, necessary. God preserve your majesty.

Your Majesty's most humble

March 12, 1614. *and devoted subject and servant,*

FR. BACON.

Supplement of two passages omitted in the edition of Sir FRANCIS BACON's speech in the King's Bench, against OWEN (*a*), as printed in his works. After the words [*it is bottomless*] in the paragraph beginning [*For the treason itself, which is the second point, &c.*] add

[I SAID in the beginning, that this treason in the nature of it was old. It is not of the treasons, whereof it may be said *from the beginning it was not so.* You are indicted, Owen, not upon any statute made against the Pope's supremacy, or other matters, that have reference to religion; but merely upon that law, which was born with the kingdon, and was law even in superstitious times, when the pope was received. The compassing and imagining of the king's death was treason. The statute of the 25th of Edward III. which was but declaratory, begins with this article, as the capital of capitals in treason, and of all others the most odious and the most perilous.] And so the civil law, &c.

At the conclusion of his speech after the words [*the duke of Anjou and the papists*] add

(*a*) He was of the family of that name at Godstow in Oxfordshire [*Camdeni Annales Regis Jacobi I. p.* 12.] He was a young man, who had been in Spain; and was condemned at the King's Bench, on Wednesday, May 17, 1615, "for divers most vile and traiterous "speeches confessed and subscribed with his own hand; as, among "others, that it was as lawful for any man to kill a king excom-"municated, as for the hangman to execute a condemned person. "He could say little for himself, or in maintenance of his desperate "positions, but only that he meant it not by the king, and he "holds him not excommunicate." MS. letter of Mr. Chamberlain to Sir Dudley Carleton from London, May 20, 1615.

[As for subjects, I see not, or ever could discern, but that by infallible consequence, it is the case of all subjects and people, as well as of kings; for it is all one reason, that a bishop, upon an excommunication of a private man, may give his lands and goods in spoil, or cause him to be slaughtered, as for the pope to do it towards a king; and for a bishop to absolve the son from duty to the father, as for the pope to absolve the subject from his allegiance to his king. And this is not my inference, but the very affirmative of pope Urban the second, who in a brief to Godfrey, bishop of Luca, hath these very words, which cardinal Baronius reciteth in his Annals, Tom. XI. p. 802. *Non illos homicidas arbitramur, qui adversus excommunicatos zelo catholicæ matris ardentes eorum quoslibet trucidare contigerit*, speaking generally of all excommunications.]

To Mr. Murray. (*a*)

Good Mr. Murray,

ACCORDING to his majesty's pleasure by you signified unto me, we have attended my lord Chancellor (*b*), my lord Treasurer (*c*), and Mr. Chancellor of the Exchequer (*d*), concerning Sir Gilbert Houghton's patent stayed at the seal; and we have acquainted them with the grounds and state of the suit, to justify them, that it was just and beneficial to his majesty. And for any thing we could perceive by any objection or reply they made, we left them in good opinion of the same, with this, that because my lord Chancellor, by the advice as it seemeth of the other two, had acquainted the council-table, for so many as were then present, with that suit amongst others, they thought fit to stay till his majesty's

(*a*) Harl. MSS. Vol. 6986.
(*b*) Ellesmere.
(*c*) Thomas Howard, earl of Suffolk.
(*d*) Sir Fulk Grevile, advanced to that post October 1, 1614, n the room of Sir Julius Cæsar, made master of the rolls.

coming to town, being at hand, to understand his farther pleasure. We purpose, upon his majesty's coming, to attend his majesty, to give him a more particular account of this business, and some other. Mean while, finding his majesty to have care of the matter, we thought it our duty to return this answer to you in discharge of his majesty's direction. We remain,

Your assured friends,

July 6th, 1615. FRANCIS BACON,
HENRY YELVERTON.

Sir FRANCIS BACON, to Lord NORRIS, in answer to him *.

* From the collections of the late Robert Stephens, Esq.

My Lord,

I AM sorry of your misfortune; and for any thing, that is within mine own command, your lordship may expect no other than the respects of him, that forgetteth not your lordship is to him a near ally, and an antient acquaintance, client, and friend. For that, which may concern my place, which governeth me, and not I it; if any thing be demanded at my hands or directed, or that I am *ex officio* to do any thing; if I say, it come to any of these three, for as yet I am a stranger to the business; yet saving my duties, which I will never live to violate, your lordship shall find, that I will observe those degrees and limitations of proceeding, which belongeth to him, that knoweth well he serveth a clement and merciful master, and that in his own nature shall ever incline to the more benign part; and that knoweth also what belongeth to nobility, and to a house of such merit and reputation, as the lord Norris is come from. And even so I remain,

Your Lordship's very loving friend,

Sept. 20, 1615.

To the KING. (*a*)

It may please your excellent Majesty,

I RECEIVED this very day, in the forenoon, your majesty's several directions touching your cause prosecuted by my lord Hunsdon (*b*) as your farmer. Your first direction was by Sir Christopher Parkins, that the day appointed for the judicial sentence should hold: and if my lord chief justice, upon my repair to him, should let me know, that he could not be present, then my lord chancellor should proceed, calling to him my lord Hobart, except he should be excepted to; and then some other judge by consent. For the latter part of this your direction, I suppose, there would have been no difficulty in admitting my lord Hobart; for after he had assisted at so many hearings, it would have been too late to except to him. But then your majesty's second and later direction, which was delivered unto me from the earl of Arundel, as by word of mouth, but so as he had set down a remembrance thereof in writing freshly after the signification of his pleasure, was to this effect, that before any proceeding in the chancery, there should be a conference had between my lord chancellor, my lord chief justice, and myself, how your majesty's interest might be secured. This later direction I acquainted my lord chancellor with; and finding an impossibility, that this conference should be had before to-morrow, my lord thought good, that the day be put over, taking no occasion thereof other than this, that in a cause of so great weight it was fit for him to confer with his assistants, before he gave any decree or final order. After such time as I have conferred with my lords, according to your commandment, I will give your majesty account with speed of the conclusion of that conference.

(*a*) Harl. MSS. Vol. 6986.

(*b*) John Carey, Baron of Hunsdon. He died in April, 1617.

Farther, I think fit to let your majesty know, that in my opinion I hold it a fit time to proceed in the business of the *Rege inconsulto*, which is appointed for Monday. I did think these greater causes would have come to period or pause sooner: but now they are in the height, and to have so great a matter as this of the *Rege inconsulto* handled, when men do *aliud agere*, I think it no proper time. Besides, your majesty, in your great wisdom knoweth, that this business of Mr. Murray's is somewhat against the stream of the judges inclination: and it is no part of a skilful mariner to sail on against a tide, when the tide is at strongest. If your majesty be pleased to write to my lord Coke, that you would have the business of the *Rege inconsulto* receive a hearing, when he should be *animo sedato et libero*, and not in the midst of his assiduous and incessant cares and industries in other practices, I think your majesty shall do your service right. Howsoever, I will be provided against the day.

Thus praying God for your happy preservation, whereof God giveth you so many great pledges,

I rest your Majesty's most humble

and devoted subject and servant,

November 17, 1615.

Fr. Bacon.

Innovations introduced into the laws and government (*a*).

1. The ecclesiastical commission.

In this he prevailed, and the commission was pared, and namely the point of alimony left out, whereby wives are left wholly to the tyranny of their husbands. This point, and some others, may require a review, and is fit to be restored to the commission.

(*a*) This paper was evidently designed against the lord chief justice Coke.

2. Against the provincial councils.

In this he prevailed in such sort, as the presidents are continually suitors for the enlargement of the instructions, sometimes in one point, sometimes in another, and the jurisdictions grow into contempt, and more would, if the lord chancellor did not strengthen them by injunctions, where they exceed not their instructions.

3. Against the star-chamber for levying damages.

In this he was over-ruled by the sentence of the court; but he bent all his strength and wits to have prevailed; and so did the other judges by long and laborious arguments: and if they had prevailed, the authority of the court had been overthrown. But the plurality of the court took more regard to their own precedents, than to the judges opinion.

4. Against the admiralty.

In this he prevaileth, for prohibitions fly continually; and many times are cause of long suits, to the discontent of foreign ambassadors, and the king's dishonour and trouble by their remonstrances.

5. Against the court of the duchy of Lancaster prohibitions go; and the like may do to the court of wards and exchequer.

This is new, and would be forthwith restrained, and the others settled.

6. Against the court of requests.

In this he prevaileth; and this but lately brought in question.

7. Against the chancery for decrees after judgment.

In this his majesty hath made an establishment: and he hath not prevailed, but made a great noise and trouble.

8. Præmunire for suits in the chancery.

This his majesty hath also established, being a strange attempt to make the chancellor sit under a hatchet, instead of the king's arms.

9. Disputed in the common pleas, whether that court may grant a prohibition to stay suits in the chancery, and time given to search for precedents.

This was but a bravery, and dieth of itself, especially the authority of the chancery by his majesty's late proceedings being so well established.

10. Against the new boroughs in Ireland.

This in good time was overruled by the voice of eight judges of ten, after they had heard your attorney. And had it prevailed, it had overthrown the parliament of Ireland, which would have been imputed to a fear in this state to have proceeded; and so his majesty's authority and reputation lost in that kingdom.

11. Against the writs *Dom. Rege inconsulto.*

This is yet *subjudice:* but if it should prevail, it maketh the judges absolute over the patents of the king, be they of power and profit, contrary to the antient and ever continued law of the crown: which doth call those causes before the king himself, as he is represented in chancery.

12. Against contribution, that it was not law neither to levy it, nor to move for it.

In this he prevailed, and gave opinion, that the king by his great seal could not so much as move any his subjects for benevolence. But this he retracted after in the star-chamber; but it marred the benevolence in the mean time.

13. Peacham's case.

In this, for as much as in him was, and in the court of king's-bench, he prevailed, though it was holpen by the good service of others. But the opinion, which he held, amounted in effect to this, that no word of scandal or defamation, importing that the king was utterly unable or unworthy to govern, were treason, except they disabled his title, &c.

14. Owen's case.

In this we prevailed with him to give opinion it was treason: but then it was upon a conceit of his own, that was no less dangerous, than if he had given his opinion against the king: for he proclaimed the king excommunicate in respect of the anniversary bulls of *Cœna Domini*, which was to expose his person to the fury of any jesuited conspirator.

15. The value of benefices not to be according to the tax in the king's book of taxes.

By this the intent of the statute of 21 Henry VIII. is frustrated; for there is no benefice of so small an improved value as 8*l.* by that kind of rating. For this the judges may be assembled in the exchequer for a conference.

16. Suits for legacies ought to be in their proper dioceses, and not in the prerogative court; although the will be proved in the prerogative court upon *bona notabilia* in several dioceses, commendams, *&c.*

The practice hath gone against this; and it is fit, the suit be where the probate is. And this served but to put a pique between the archbishops courts and the bishops courts. This may be again propounded upon a conference of the judges.

To Sir George Villiers.

SIR,

THE message which I received from you by Mr. Shute, hath bred in me such belief and confidence, as I will now wholly rely upon your excellent and happy self. When persons of greatness and quality begin speech with me of the matter, and offer me their good offices, I can but answer them civilly. But those things are but toys: I am yours surer to you than to my own life; for, as they speak of the Turquois stone in a ring, I will break into twenty pieces, before you have the least fall. God keep you ever.

Your truest servant.

Feb. 15, 1615.

Fr. Bacon.

My lord Chancellor is prettily amended. I was with him yesterday almost half an hour. He used me with wonderful tokens of kindness. We both wept, which I do not often.

Indorsed,

A letter to Sir G. Villiers touching a message brought to him by Mr. Shute, of a promise of the chancellor's place.

* Sir FRANCIS BACON to Sir GEORGE VILLIERS, touching the examination of Sir Robert Cotton upon some information of Sir John Digby (*a*).

* From an old manuscript in my possession, intitled *a book of Letters of Sir Francis Bacon.*

I RECEIVED your letter yesterday towards the evening, being the 8th of this present, together with the interrogatory included, which his majesty hath framed, not only with a great deal of judgment what to interrogate, but in a wise and apt order; for I do find that the degrees of questions are of great efficacy in examination. I received also notice and direction by your letter, that Sir Robert Cotton was first thoroughly to be examined; which indeed was a thing most necessary to begin with; and that for that purpose Sir John Digby was to inform my lord chancellor of such points, as he conceived to be material; and that I likewise should take a full account for my lord chief justice of all Sir Robert Cotton's precedent examinations. It was my part then to take care, that that, which his majesty had so well directed and expressed, should be accordingly performed without loss of time. For which purpose, having soon after the receipt of your letter received a letter from my lord chancellor, that he appointed Sir John Digby to be with him at two of the clock in the afternoon, as this day, and required my presence, I spent the mean

(*a*) Secretary Winwood, in a private letter to Sir Thomas Edmondes, printed in the *Historical View of the Negotiations between the Courts of England, France, and Brussels, p.* 392, mentions, that there was great expectation, that Sir John Digby, just then returned from Spain, where he had been ambassador, could charge the earl of Somerset with *some treasons and plots with Spain.* "To the king," *adds Sir Ralph,* "as yet he hath used no other language, but that, "having served in a place of honour, it would ill become him to "be an accuser. Legally or criminally he can say nothing: yet this "he says and hath written, that all his private dispatches, wherein "he most discovered the practices of Spain, and their intelligences, "were presently sent into Spain: which could not be but by the "treachery of Somerset."

time, being this forenoon, in receiving the precedent examinations of Sir Robert Cotton from my lord chief justice, and perusing of them; and accordingly attended my lord chancellor at the hour appointed, where I found Sir John Digby.

At this meeting it was the endeavour of my lord chancellor and myself to take such light from Sir John Digby, as might evidence first the examination of Sir Robert Cotton; and then to the many examinations of Somerset; wherein we found Sir John Digby ready and willing to discover unto us what he knew; and he had also, by the lord chancellor's direction, prepared some heads of examination in writing for Sir Robert Cotton; of all which use shall be made for his majesty's service, as is fit. Howbeit, for so much as did concern the practice of conveying the prince into Spain, or the Spanish pensions, he was somewhat reserved upon this ground, that they were things his majesty knew, and things, which by some former commandment from his majesty he was restrained to keep in silence, and that he conceived they could be no ways applied to Somerset. Wherefore it was not fit to press him beyond that, which he conceived to be his warrant, before we had known his majesty's farther pleasure; which I pray you return unto us with all convenient speed. I for my part am in no appetite for secrets; but nevertheless seeing his majesty's great trust towards me, wherein I shall never deceive him; and that I find the chancellor of the same opinion, I do think it were good my lord chancellor chiefly and myself were made acquainted with the persons and the particulars; not only because it may import his majesty's service otherwise, but also because to my understanding, for therein I do not much rely, upon Sir John Digby's judgment it may have a great connection with the examination of Somerset, considering his mercenary nature, his great undertaking for Spain in the match, and his favour with his majesty; and therefore the circumstances of other pensions given cannot but tend to discover whether he were pensioner or no.

But herein no time is lost; for my lord chancellor, who is willing even beyond his strength, to lose no moment for his majesty's service, hath appointed me to attend him Thursday morning, for the examination of Sir Robert Cotton, leaving to-morrow for council-business to my lord, and to me for considering of fit articles for Sir Robert Cotton.

10 April 1616.

Mr. Tobie Matthew (*a*) to Sir Francis Bacon, Attorney General.

May it please you, Sir,

THE notice I have from my lord Roos, Sir Henry Goodere, and other friends, of the extreme obligation, wherein I continue towards you, together with the conscience I have of the knowledge, how dearly and truly I honour and love you, and daily pray, that you may rise to that height, which the state, wherein you live, can give you, hath taken away the wings of fear, whereby I was almost carried away from daring to importune you in this kind. But I know how good you have always been, and are still, towards me; or rather because I am not able to comprehend how much it is, I will presume there is enough for any use, whereupon an honest humble servant may employ it.

It imports the business of my poor estate, that I be restored to my country for some time; and I have divers friends in that court, who will further my de-

(*a*) Son of Dr. Tobie Matthew, archbishop of York. He was born at Oxford in 1578, while his father was dean of Christ-church, and educated there. During his travels abroad, he was seduced to the Romish religion by farther Parsons. This occasioned his living out of his own country from the year 1607 to 1617, when he had leave to return to England. He was again ordered to leave it in October, 1618; but in 1622 was recalled to assist in the match with Spain: and on account of his endeavours to promote it, was knighted by king James I. at Royston, on the 10th of October, 1623. He translated into Italian Sir Francis Bacon's *Essays*, and died at Ghent in Flanders, October 16th, 1655. N. S.

sire thereof, and particularly Mr. secretary Lake and my lord Roos, whom I have desired to confer with you about it. But nothing can be done therein, unless my lord of Canterbury (*b*) may be made propitious, or at least not averse; nor do I know in the world how to charm him but by the music of your tongue. I beseech you, Sir, lose some minutes upon me, which I shall be glad to pay by whole years of service; and call to mind, if it please you, the last speech you made me, that if I should continue as I then was, and neither prove ill-affected to the state, nor become otherwise than a mere secular man in my religion, you would be pleased to negotiate for my return. On my part the conditions are performed; and it remains, that you do the like: nor can I doubt but that the nobleness of your nature, which loves nothing in the world so well as to be doing of good, can descend from being the attorney general to a great king, to be solicitor for one of the meanest subjects that he hath.

I send my letter to my lord's grace open, that before you seal it, if you shall think fit to seal it, and rather not to deliver it open, you may see the reasons that I have; which, if I be not partial, are very pregnant. Although I confess, that till it was now very lately mentioned to me by some honourable friends, who have already procured to disimpression his majesty of some hard conceit he had me in, I did not greatly think thereof; and now I am full of hope, that I shall prevail. For supposing, that my lord of Canterbury's mind is but made of iron, the adamant of your persuasion will have power to draw it. It may please you either to send a present answer hereunto; or, since I am not worthy of so much favour, to tell either of those honourable persons aforenamed what the answer is, that accordingly they may co-operate.

This letter goes by Sir Edward Parham, a gentleman, whom I have been much beholding to. I know him to be a perfect honest man; and since, I pro-

(*b*) Dr. George Abbot.

test, I had rather die than deceive you, I will humbly pray, that he may rather receive favour from you, than otherwise, when he shall come in your way, which at one time or other all the world there must do. And I shall acknowledge myself much bound to you, as being enabled by this means to pay many of my debts to him.

I presume to send you the copy of a piece of a letter, which Galileo, of whom, I am sure, you have heard, wrote to a monk of my acquaintance in Italy, about the answering of that place in Joshua, which concerns the sun's standing still, and approving thereby the pretended falshood of Copernicus's opinion. The letter was written by occasion of the opposition, which some few in Italy did make against Galilelo, as if he went about to establish that by experiments, which appears to be contrary to Holy Scripture. But he makes it appear the while by this piece of a letter, which I send you, that if that passage of Scripture doth expressly favour either side, it is for the affirmative of Copernicus's opinion, and for the negative of Aristotle's. To an attorney general in the midst of a town, and such a one, as is employed in the weightiest affairs of the kingdom, it might seem unseasonable for me to interrupt you with matter of this nature. But I know well enough in how high account you have the truth of things; and that no day can pass, wherein you give not liberty to your wise thoughts of looking upon the works of nature. It may please you to pardon the so much trouble which I give you in this kind; though yet, I confess, I do not deserve a pardon, because I find not in myself a purpose of forbearing to do the like hereafter. I most humbly kiss your hand.

Your most faithful and affectionate servant,

Brussels, this 21st of April, 1616. TOBIE MATTHEW.

Sir FRANCIS BACON to the Judges*.

* From the collections of the late Robert Stephens, Esq.

My Lord,

IT is the king's express pleasure, that because his majesty's time would not serve to have conference with your lordship and his judges touching his cause of commendams at his last being in town, in regard of his majesty's other most weighty occasions; and for that his majesty holdeth it necessary, upon the report, which my lord of Winchester, who was present at the last argument by his majesty's royal commandment, made to his majesty, that his majesty be first consulted with, ere there be any further proceeding by argument by any of the judges or otherwise: Therefore, that the day appointed for the farther proceeding by argument of the judges in that case be put off till his majesty's farther pleasure be known upon consulting him; and to that end, that your lordship forthwith signify his commandment to the rest of the judges; whereof your lordship may not fail. And so I leave your lordship to God's goodness.

Your loving friend to command,

This Thursday at afternoon,
the 25th of April, 1616.

FR. BACON.

Questions legal for the Judges [in the case of the Earl and Countess of Somerset.]

WHETHER the ax is to be carried before the prisoner, being in the case of felony?

Whether, if the lady make any digression to clear his lordship, she is not by the lord Steward to be interrupted and silenced?

Whether, if my lord of Somerset should break forth into any speech of taxing the king, he be not presently by the lord Steward to be interrupted and silenced; and, if he persist, he be not to be told, that

if he take that course, he is to be withdrawn, and evidence to be given in his absence? And whether that may be; and what else to be done?

Whether if there should be twelve votes to condemn, and twelve or thirteen to acquit, it be not a verdict for the king?

Questions of Convenience, whereupon his Majesty may confer with some of his Council.

Whether, if Somerset confess at any time before his trial, his majesty shall stay trial in respect of farther examination concerning practice of treason, as the death of the late prince, the conveying into Spain of the now prince, or the like; for till he confess the less crime, there is [no] likelihood of confessing the greater?

Whether, if the trial upon that reason shall be put off, it shall be discharged privately by dissolving the commission, or discharging the summons? Or whether it shall not be done in open court, the peers being met, and the solemnity and celebrity preserved; and that with some declaration of the cause of putting off the farther proceeding?

Whether the days of her trial and his shall be immediate, as it is now appointed; or a day between, to see, if, after condemnation, the lady will confess of this lord; which done, there is no doubt but he will confess of himself?

Whether his trial shall not be set first, and hers after, because then any conceit, which may be wrought by her clearing of him, may be prevented; and it may be he will be in the better temper, hoping of his own clearing, and of her respiting?

What shall be the days; for Thursday and Friday can hardly hold in respect of the summons; and it may be as well Friday and Saturday, or Monday and Tuesday, as London makes it already?

A particular remembrance for his Majesty.

IT were good, that after he is come into the Hall, so that he may perceive he must go to trial, and shall be retired into the place appointed, till the court call for him, then the lieutenant should tell him roundly, that if in his speeches he shall tax the king,(*a*) that the justice of England is, that he shall be taken away, and the evidence shall go on without him; and then all the people will cry *away with him;* and then it shall not be in the king's will to save his life, the people will be so set on fire.

Indorsed,

Memorial touching the course to be had in my lord of Somerset's arraignment.

(*a*) The king's apprehension of being *taxed* by the earl of Somerset on his trial, though for what is not known, accounts in some measure for his majesty's extreme uneasiness of mind till that trial was over, and for the management used by Sir Francis Bacon in particular, as appears from his letters, to prevail upon the earl to submit to be tried, and to keep him in temper during his trial, *lest he*, as the king expressed it in an apostle on Sir Francis's letter of the 28th of April, 1616, *upon the one part commit unpardonable errors, and I on the other seem to punish him in the spirit of revenge.* See more on this subject in Mr. Mallet's *Life of the lord chancellor Bacon*, who closes his remarks with a reference to a letter of Somerset to the king, printed in the *Cabala*, and written in an high stile of expostulation, and shewing, through the affected obscurity of some expressions, that there was an important secret in his keeping, of which his majesty dreaded a discovery. The earl and his lady were released from their confinement in the Tower in January 162$\frac{1}{2}$, the latter dying August 23, 1632, leaving one daughter Anne, then sixteen years of age, afterwards married to William lord Russel, afterwards earl, and at last duke of Bedford. The earl of Somerset survived his lady several years, and died in July 1645, being interred on the 17th of that month in the church of St. Paul's, Covent-Garden.

The heads of the charge against ROBERT Earl of SOMERSET.

Apostyle of the king.

Ye will doe well to remember lykewayes in your præamble, that insigne, that the only zeal to justice maketh me take this course. I have commandit you not to expatiate, nor digresse upon any other points, that maye not serve clearlie for probation or inducement of that point, quhairof he is accused.

FIRST it is meant, that Somerset shall not be charged with any thing by way of aggravation, otherwise than as conduceth to the proof of the impoisonment.

For the proofs themselves, they are distributed into four:

The first to prove the malice, which Somerset bore to Overbury, which was the motive and ground of the impoisonment.

The second is to prove the preparations unto the impoisonment, by plotting his imprisonment, placing his keepers, stopping access of friends, &c.

The third is the acts of the impoisonments themselves.

And the fourth is acts subsequent, which do vehemently argue him to be guilty of the impoisonment.

For the first two heads, upon conference, whereunto I called serjeant Montagu and serjeant Crew, I have taken them two heads to myself; the third I have allotted to serjeant Montagu; and the fourth to serjeant Crew.

In the first of these, to my understanding, is the only tenderness: for on the one side, it is most necessary to lay a foundation, that the malice was a deep malice, mixed with fear, and not only matter of revenge upon his lordship's quarrel: for *periculum periculo vincitur;* and the malice must have a proportion to the effect of it, which was the impoisonment: so

that if this foundation be not laid, all the evidence is weakened.

On the other side, if I charge him, or could charge him, by way of aggravation, with matters tending to disloyalty or treason, then he is like to grow desperate.

Therefore I shall now set down perspicuously what course I mean to hold, that your majesty may be pleased to direct and correct it, preserving the strength of the evidence: and this I shall now do, but shortly and without ornament.

First, I shall read some passages of Overbury's letters, namely these: "Is this the fruit of nine years "love, common secrets, and common dangers?" In another letter; "Do not drive me to extremity to do "that, which you and I shall be sorry for?" In another letter; "Can you forget him, between whom "such secrets of all kinds have passed? &c."

Then will I produce Simcock, who deposeth from Weston's speech, that Somerset told Weston, that, *if ever Overbury came out of prison, one of them must die for it.*

Then I will say what these secrets were. I mean not to enter into particulars, nor to charge him with disloyalty, because he stands to be tried for his life upon another crime. But yet by some taste, that I shall give to the peers in general, they may conceive of what nature those secrets may be. Wherein I will take it for a thing notorious, that Overbury was a man, that always carried himself insolently, both towards the queen, and towards the late prince: that he was a man, that carried Somerset on in courses separate and opposite to the privy council: that he was a man of nature fit to be an incendiary of a state; full of bitterness and wildness of speech and project: that he was thought also lately to govern Somerset, insomuch that in his own letters he vaunted, *that from him proceeded Somerset's fortune, credit, and understanding.*

This course I mean to run in a kind of generality, putting the imputations rather upon Overbury than Somerset; and applying it, that such a nature was like to hatch dangerous secrets and practices. I mean

to shew likewise that jargons there were and cyphers between them, which are great badges of secrets of estate, and used either by princes and their ministers of state, or by such as practise against princes. That your majesty was called *Julius* in respect of your empire; the queen *Agrippina*, though Somerset now saith it was *Livia*, and that my lady of Suffolk was *Agrippina;* the bishop of Canterbury *Unctius;* Northampton, *Dominic;* Suffolk, first *Lerma*, after *Wolsey;* and many others; so as it appears they made a play both of your court and kingdom; and that their imaginations wrought upon the greatest men and matters.

Neither will I omit Somerset's breach of trust to your majesty, in trusting Overbury with all the dispatches, things, wherewith your council of estate itself was not many times privy or acquainted: and yet this man must be admitted to them, not cursorily, or by glimpses, but to have them by him, to copy them, to register them, to table them, &c.

Apostyle of the king.

This evidence cannot be given in without making me his accuser, and that upon a very slight ground. As for all the subsequent evidences, they are all so little evident, as una litura *may serve thaime all.*

I shall also give in evidence, in this place, the slight account of that letter, which was brought to Somerset by Ashton, being found in the fields soon after the late prince's death, and was directed to Antwerp, containing these words, "that the first "branch was cut from the tree, "and that he should, ere long, "send happier and joyfuller "news."

Which is a matter I would not use, but that my lord Coke, who hath filled this part with many frivolous things, would think all lost, except he hear somewhat of this kind. But this it is to come to the leavings of a business.

Nothing to Somerset, and declared by Franklin after condemnation.

And for the rest of that kind, as to speak of that particular, that Mrs. Turner did at Whitehall shew to Franklin the man, who, as she said, poisoned the prince, which, he says, was a physician with a red beard.

Nothing to Somerset, and a loose conjecture.

That there was a little picture of a young man in white wax, left by Mrs. Turner with Forman the conjurer, which my lord Coke doubted was the prince.

No better than a gazette, or passage of Gallo Belgicus.

That the viceroy of the Indies at Goa reported to an English factor, that prince Henry came to an untimely death by a mistress of his.

Nothing yet proved against Lowbell.

That Somerset, with others, would have preferred Lowbell the apothecary to prince Charles.

Nothing to Somerset.

That the countess laboured Forman and Gresham, the conjurers, to inforce the queen by witchcraft to favour the countess.

Declared by Franklin after condemnation.

That the countess told Franklin, that when the queen died, Somerset should have Somerset-house.

Nothing to Somerset.

That Northampton said, the prince, if ever he came to reign, would prove a tyrant.

Nothing to Somerset.

That Franklin was moved by the countess to go to the Palsgrave, and should be furnished with money.

The particular reasons, why I omit them, I have set in the margin; but the general is partly to do a kind of right to justice, and such a solemn trial, in

not giving that in evidence, which touches not the delinquent, or is not of weight; and partly to observe your majesty's direction, to give Somerset no just occasion of despair or flushes.

But I pray your majesty to pardon me, that I have troubled your majesty with repeating them, lest you should hear hereafter, that Mr. Attorney hath omitted divers material parts of the evidence.

Indorsed,

Somerset's business and charge, with his majesty's postiles.

To Sir George Villiers.

SIR,

YOUR man made good haste; for he was with me yesterday about ten of the clock in the forenoon. Since I held him.

The reason, why I set so small a distance of time between the use of the little charm, or, as his majesty better terms it, *the evangile* (*a*), and the day of his trial (*b*) notwithstanding his majesty's being so far off, as advertisement of success and order thereupon could not go and come between, was chiefly, for that his majesty, from whom the overture of that first moved, did write but of a few hours, that this should be done, which I turned into days. Secondly, because the hope I had of effect by that mean, was rather of attempting him at his arraignment, than of confession before his arraignment. But I submit it to his majesty's better judgment.

The person, by your first description, which was without name, I thought had been meant of Packer (*c*): but now I perceive it is another, to me un-

(*a*) Cicero, Epist. ad Atticum, Lib. XIII. Ep. 40. uses this word, εὐαγγέλια; which signifies both good news, and the reward given to him who brings good news. See Lib. II. Epist. 3.

(*b*) The earl of Somerset's.

(*c*) John, of whom there are several letters in Winwood's *Memorials*, Vol. II.

known, but, as it seemeth, very fit. I doubt not but he came with sufficient warrant to Mr. Lieutenant to have access. In this I have no more to do, but to expect to hear from his majesty how this worketh.

The letter from his majesty to myself and the serjeants I have received, such as I wished; and I will speak with the commissioners, that he may, by the lieutenant, understand his majesty's care of him, and the tokens herein of his majesty's compassion towards him.

I ever had a purpose to make use of that circumstance, that Overbury, the person murdered, was his majesty's prisoner in the Tower; which indeed is a strong pressure of his majesty's justice. For Overbury is the first prisoner murdered in the Tower, since the murder of the young princes by Richard the third, the tyrant.

I would not trouble his majesty with any points of preamble, nor of the evidence itself, more than that part nakedly, wherein was the tenderness, in which I am glad his majesty, by his postils, which he returned to me, approveth my judgment.

Now I am warranted, I will not stick to say openly, I am commanded, not to exasperate, nor to aggravate the matter in question of the impoisonment with any other collateral charge of disloyalty, or otherwise; wherein, besides his majesty's principal intention, there will be some use to save the former bruits of Spanish matters.

There is a direction given to Mr. Lieutenant by my lord Chancellor and myself, that as yesterday Mr. Whiting (*d*) the preacher, a discreet man, and one that was used to Helwisse, should preach before the lady (*e*), and teach her, and move her generally to a

(*d*) John Whiting, D. D. rector of St. Martin Vintry, in London, and Vicar of East-Ham in Essex, prebendary of Ealdstreet in the church of St. Paul's, and chaplain to king James I. He attended Sir Gervase Helwisse, who had been lieutenant of the Tower, at his execution upon Tower-Hill, on Monday the 20th of November, 1615, for the murder of Sir Thomas Overbury.

(*e*) Frances, countess of Somerset.

clear confession. That after the same preacher should speak as much to him at his going away in private: and so proof to be made, whether this good mean, and the last night's thoughts, will produce any thing. And that this day the lieutenant should declare to her the time of her trial, and likewise of his trial, and persuade her, not only upon Christian duty, but as good for them both, that she deal clearly touching him, whereof no use can be made, nor need to be made, for evidence, but much use may be made for their present comfort.

It is thought, at the day of her trial the lady will confess the indictment; which if she do, no evidence ought to be given. But because it shall not be a dumb shew, and for his majesty's honour in so solemn an assembly, I purpose to make a declaration of the proceedings of this great work of justice, from the beginning to the end, wherein, nevertheless, I will be careful no ways to prevent or discover the evidence of the next day.

In this my lord chancellor and I have likewise used a point of providence: for I did forecast, that if in that narrative, by the connection of things, any thing should be spoken, that should shew him guilty, she might break forth into passionate protestations for his clearing; which, though it may be justly made light of, yet it is better avoided. Therefore my lord Chancellor and I have devised, that upon the entrance into that declaration she shall, in respect of her weakness, and not to add farther affliction, be withdrawn.

It is impossible, neither is it needful, for me, to express all the particulars of my care in this business. But I divide myself into all cogitations as far as I can foresee; being very glad to find, that his majesty doth not only accept well of my care and advices, but that he applieth his directions so fitly, as guideth me from time to time.

I have received the commissions signed.

I am not forgetful of the goods and estate of Somerset, as far as is seasonable to inquire at this time. My lord Coke taketh upon him to answer for the jewels,

being the chief part of his moveable value: and this, I think, is done with his majesty's privity. But my lord Coke is a good man to answer for it.

God ever preserve and prosper you. I rest

Your true and devoted servant,

May 10, Friday at 7 of the clock in the morning [1616.] FR. BACON.

The charge of the Attorney General, Sir FRANCIS BACON, against FRANCES, Countess of SOMERSET, intended to have been spoken by him at her arraignment, on Friday, May 24, 1616, in case she had pleaded not guilty (*a*).

IT may please your grace, my lord high steward of England (*b*), and you my lords the peers.

You have heard the indictment against this lady well opened; and likewise the point in law, that might make some doubt, declared and solved; wherein certainly the policy of the law of England is much to be esteemed, which requireth and respecteth form in the indictment, and substance in the proof.

This scruple it may be hath moved this lady to plead not guilty, though for the proof I shall not need much more than her own confession, which she hath formerly made, free and voluntary, and therein given glory to God and justice. And certainly confession, as it is the strongest foundation of justice, so it is a kind of corner-stone, whereupon justice and mercy may meet.

The proofs, which I shall read in the end for the ground of your verdict and sentence, will be very short; and, as much as may, serve to satisfy your honours and consciences for the conviction of this lady,

(*a*) She pleaded guilty, on which occasion the attorney general spoke a charge somewhat different from this, printed in his works.

(*b*) Thomas Egerton, viscount Ellesmere, lord high Chancellor.

without wasting of time in a case clear and confessed; or ripping up guiltiness against one, that hath prostrated herself by confession; or preventing or deflowering too much of the evidence. And therefore the occasion itself doth admonish me to spend this day rather in declaration, than in evidence, giving God and the king the honour, and your lordships and the hearers the contentment, to set before you the proceeding of this excellent work of the king's justice, from the beginning to the end; and so to conclude with the reading the confessions and proofs.

My lords, this is now the second time (*c*) within the space of thirteen years reign of our happy sovereign, that this high tribunal-seat of justice, ordained for the trial by peers, hath been opened and erected; and that, with a rare event, supplied and exercised by one and the same person; which is a great honour to you, my lord Steward.

In all this mean time, the king hath reigned in his white robe, not sprinkled with any drop of blood of any of his nobles of this kingdom. Nay, such hath been the depths of his mercy, as even those noblemens bloods, (against whom the proceeding was at Winchester,) Cobham and Grey, were attainted and corrupted, but not spilt or taken away; but that they remained rather spectacles of justice in their continual imprisonment, than monuments of justice in the memory of their suffering.

It is true, that the objects of his justice then and now were very differing. For then, it was the revenge of an offence against his own person and crown, and upon persons, that were malcontents, and contraries to the state and government. But now, it is the revenge of the blood and death of a particular subject, and the cry of a prisoner. It is upon persons, that were highly in his favour; whereby his majesty, to his great honour, hath shewed to the world, as if it were written in a sunbeam, that he is truly the lieu-

(*c*) The first time was on the trials of the lords Cobham and Grey, in November, 1603.

tenant of him, with whom there is no respect of persons; that his affections royal are above his affections private: that his favours and nearness about him are not like popish sanctuaries to privilege malefactors: and that his being the best master of the world doth not let him from being the best king of the world. His people, on the other side, may say to themselves, *I will lie down in peace; for God and the king and the law protect me against great and small.* It may be a discipline also to great men, especially such as are swoln in fortunes from small beginnings, that the king is as well able to level mountains, as to fill vallies, if such be their desert.

But to come to the present case; the great frame of justice, my lords, in this present action, hath a vault, and it hath a stage: a vault, wherein these works of darkness were contrived; and a stage with steps, by which they were brought to light. And therefore I will bring this work of justice to the period of this day; and then go on with this day's work.

Sir Thomas Overbury was murdered by poison in the 15th of September, 1613, 11 *Reg.* This foul and cruel murder did, for a time, cry secretly in the ears of God; but God gave no answer to it, otherwise than by that voice, which sometimes he useth, which is *vox populi*, the speech of the people. For there went then a murmur, that Overbury was poisoned: and yet this same submiss and soft voice of God, the speech of the vulgar people, was not without a counter-tenor, or counter-blast of the devil, who is the common author both of murder and slander: for it was given out, that Overbury was dead of a foul disease, and his body, which they had made a *corpus Judaicum* with their poisons, so as it had no whole part, must be said to be leprosed with vice, and so his name poisoned as well as his body. For as to dissoluteness, I never heard the gentleman noted with it: his faults were insolency and turbulency, and the like of that kind: the other part of the soul not the voluptuous.

Mean time, there was some industry used, of which I will not now speak, to lull asleep those, that were the revengers of blood; the father and the brother of the murdered. And in these terms things stood by the space almost of two years; during which time, God so blinded the two great procurers, and dazzled them with their own greatness, and bind and nail fast the actors and instruments, with security upon their protection, as neither the one looked about them, nor the other stirred or fled, nor were conveyed away; but remained here still, as under a privy arrest of God's judgments; insomuch as Franklin, that should have been sent over to the Palsgrave with good store of money, was, by God's providence, and the accident of a marriage of his, diverted and stayed.

But about the beginning of the progress last summer, God's judgments began to come out of their depths: and as the revealing of murders is commonly such, as a man may say, *a Domino hoc factum est;* it is God's work, and it is marvellous in our eyes; so in this particular it was most admirable; for it came forth by a compliment and matter of courtesy.

My lord of Shrewsbury, (*d*) that is now with God, recommended to a counsellor of state, of especial trust by his place, the late lieutenant Helwisse, (*e*), only for acquaintance as an honest worthy gentleman; and desired him to know him, and to be acquainted

(*d*) Gilbert, earl of Shrewsbury, knight of the garter, who died May 8, 1616.

(*e*) Sir Gervase Helwisse, appointed lieutenant of the Tower, upon the removal of Sir William Waad, on the 6th of May, 1613, [*Reliquiæ Wottonianæ*, p. 412, 3d edit. 1672.] Mr. Chamberlain, in a MS. letter to Sir Dudley Carleton, dated at London, May 13, 1613, speaks of Sir Gervase's promotion in these terms. "One Sir "Gervase Helwisse of Lincolnshire, somewhat an unknown man, is "put into the place [of Sir W. Waad's] by the favour of the lord "Chamberlain [earl of Somerset] and his lady. The gentleman is of "too mild and gentle a disposition for such an office. He is my old "friend and acquaintance in France, and lately renewed in town, "where he hath lived past a year, nor followed the court many "a day." Sir Henry Wotton, in a letter of the fourteenth of May, 1613, [*ubi supra*, p. 13.] says, that Sir Gervase had been before *one of the pensioners.*

with him. That counsellor answered him civilly, that my lord did him a favour; and that he should embrace it willingly: but he must let his lordship know, that there did lie a heavy imputation upon that gentleman, Helwisse; for that Sir Thomas Overbury, his prisoner, was thought to have come to a violent and untimely death. When this speech was reported back by my lord of Shrewsbury to Helwisse, *perculit illico animum*, he was stricken with it; and being a politic man, and of likelihood doubting, that the matter would break forth at one time or other, and that others might have the start of him, and thinking to make his own case by his own tale, resolved with himself, upon this occasion, to discover to my lord of Shrewsbury and that counsellor, that there was an attempt, whereto he was privy, to have poisoned Overbury by the hands of his under-keeper, Weston; but that he checked it, and put it by, and dissuaded it, and related so much to him indeed: but then he left it thus, that was but an attempt, or untimely birth, never executed; and, as if his own fault had been no more, but that he was honest in forbidding, but fearful of revealing and impeaching or accusing great persons: and so with this fine point thought to save himself.

But that great counsellor of state wisely considering that by the lieutenant's own tale it could not be simply a permission or weakness; for that Weston was never displaced by the lieutenant, notwithstanding that attempt: and coupling the sequel by the beginning, thought it matter fit to be brought before his majesty, by whose appointment Helwisse set down the like declaration in writing.

Upon this ground, the king playeth Solomon's part, *Gloria Dei celare rem; et Gloria Regis investigare rem;* and sets down certain papers of his own hand, which I might term to be *claves justitiæ*, keys of justice; and may serve for a precedent both for princes to imitate, and for a direction for judges to follow: and his majesty carried the balance with a constant and steady hand, evenly and without preju-

dice, whether it were a true accusation of the one part, or a practice and factious device of the other: which writing, because I am not able to express according to the worth thereof, I will desire your lordship anon to hear read.

This excellent foundation of justice being laid by his majesty's own hand, it was referred unto some counsellors to examine farther, who gained some degrees of light from Weston, but yet left it imperfect.

After it was referred to Sir Edward Coke, chief justice of the King's Bench, as a person best practised in legal examinations, who took a great deal of indefatigable pains in it, without intermission, having, as I have heard him say, taken at least three hundred examinations in this business.

But these things were not done in a corner. I need not speak of them. It is true, that my lord chief justice, in the dawning and opening of the light, finding that the matter touched upon these great persons, very discreetly became suitor to the king to have greater persons than his own rank joined with him. Whereupon, your lordship, my lord high Steward of England, to whom the king commonly resorteth *in arduis*, and my lord Steward of the king's house, and my lord Zouch, were joined with him.

Neither wanted there this while practice to suppress testimony, to deface writings, to weaken the king's resolution, to slander the justice, and the like. Nay, when it came to the first solemn act of justice, which was the arraignment of Weston, he had his lesson to stand mute; which had arrested the wheel of justice. But this dumb devil, by the means of some discreet divines, and the potent charm of justice, together, was cast out. Neither did this poisonous adder stop his ear to those charms, but relented, and yielded to his trial.

Then follow the proceedings of justice against the other offenders, Turner, Helwisse, Franklin.

But all these being but the organs and instruments of this fact, the actors and not the authors, justice could not have been crowned without this last act

against these great persons. Else Weston's censure or prediction might have been verified, when he said, he hoped the small flies should not be caught, and the great escape. Wherein the king being in great straits, between the defacing of his honour and of his creature, hath, according as he useth to do, chosen the better part, reserving always mercy to himself.

The time also of this justice hath had its true motions. The time until this lady's deliverance was due unto honour, christianity, and humanity, in respect of her great belly. The time since was due to another kind of deliverance too; which was, that some causes of estate, that were in the womb, might likewise be brought forth, not for matter of justice, but for reason and state. Likewise this last procrastination of days had the like weighty grounds and causes. And this is the true and brief representation of this extreme work of the king's justice.

Now for the evidence against this lady, I am sorry I must rip it up. I shall first shew you the purveyance or provisions of the poisons; that they were seven in number brought to this lady, and by her billetted and laid up till they might be used; and this done with an oath or vow of secrecy, which is like the Egyptian darkness, a gross and palpable darknesss, that may be felt.

Secondly, I shall show you the exhibiting and sorting of this same number or volley of poisons: white arsenic was fit for salt, because it is of like body and colour. The poison of great spiders, and of the venomous fly cantharides, was fit for pigs sauce, or partridge sauce, because it resembled pepper. As for mercury-water, and other poisons, they might be fit for tarts, which is a kind of hotch-pot, wherein no one colour is so proper: and some of these were delivered by the hands of this lady, and some by her direction.

Thirdly, I shall prove and observe unto you, the cautions of these poisons; that they might not be too swift, lest the world should startle at it by the suddenness of the dispatch: but they must abide long in the

body, and work by degrees: and for this purpose there must be essays of them upon poor beasts, &c.

And lastly, I shall shew you the rewards of this impoisonment, first demanded by Weston, and denied, because the deed was not done; but after the deed done and perpetrated, that Overbury was dead, then performed and paid to the value of 180*l.*

And so without farther aggravation of that, which in itself bears its own tragedy, I will conclude with the confessions of this lady herself, which is the strongest support of justice; and yet is the foot-stool of mercy. For, as the Scripture says, *mercy and truth have kissed each other;* there is no meeting or greeting of mercy, till there be a confession, or trial of truth. For these read,

Franklin, November 16,
Franklin, November 17,
Rich. Weston, October 1,
Rich. Weston, October 2,
Will. Weston, October 2,
Richard Weston, October 3.
Helwisse, October 2,
The Countess's letter without date.
The Countess's confession, January 8.

Sir Francis Bacon to the King *.

* From the collections of the late Robert Stephens, Esq.

It may please your excellent Majesty,

ACCORDING to your Majesty's reference signified by Sir Roger Wilbraham, I have considered of the petition of Sir Gilbert Houghton, your majesty's servant, for a licence of sole transportation of tallow, butter, and hides, &c. out of your realm of Ireland; and have had conference with the lord Chichester, late lord deputy of Ireland, and likewise with Sir John Davies, your majesty's attorney there: And this is that which I find:

First, that hides and skins may not be meddled withal, being a staple commodity of the kingdom, wherein the towns are principally interested.

That for tallow, butter, beef, not understanding it of live cattle, and pipe-staves, for upon these things we fell, although they were not all contained in the petition, but in respect hides were more worth than all the rest, they were thought of by way of some supply: these commodities are such, as the kingdom may well spare, and in that respect fit to be transported; wherein nevertheless some consideration may be had of the profit, that shall be taken upon the licence. Neither do I find, that the farmers of the customs there, of which some of them were before me, did much stand upon it, but seemed rather to give way to it.

I find also, that at this time all these commodities are free to be transported by proclamation, so as no profit can be made of it, except there be first a restraint; which restraint I think fitter to be by some prohibition in the letters patents, than by any new proclamation; and the said letters patents to pass rather here, than there, as it was in the licence of wines granted to the lady Arbella; but then those letters patents to be inrolled in the chancery of Ireland, whereby exemplifications of them may be taken to be sent to the ports.

All which nevertheless I submit to your majesty's better judgment.

Your Majesty's most humble
bounden subject and servant,

5 June, 1616.

Fr. Bacon.

Mr. Tobie Matthew to Sir Francis Bacon, Attorney General.

May it please your Honour,

SUCH, as know your honour, may congratulate with you the favour, which you have lately received from his majesty, of being made a counsellor of state (*a*); but as for me, I must have leave to con-

(*a*) Sir Francis Bacon was sworn at Greenwich of the privy council, June 9, 1616.

gratulate with the council-table, in being so happy as to have you for an assessor. I hope these are but beginnings, and that the marriage, which now I perceive that fortune is about to make with virtue, will be consummate in your person. I cannot dissemble, though I am ashamed to mention, the excessive honour, which you have vouchsafed to do unto my picture. But shame ought not to be so hateful as sin; and without sin I know not how to conceal the extreme obligation into which I am entered thereby, which is incomparably more than I can express, and no less than as much as I am able to conceive. And as the copy is more fortunate than the original, because it hath the honour to be under your eye; so the original being much more truly yours than the copy can be, aspires by having the happiness to see you, to put the picture out of countenance.

I understand by Sir George Petre (*b*), who is arrived here at the Spa, and is so wise as to honour you extremely, though he have not the fortune to be known to your honour, that he had heard how my lord of Canterbury had been moved in my behalf; and that he gave way unto my return. This, if it be true, cannot have happened without some endeavour of your honour; and therefore, howsoever I have not been particularly advertised, that your honour had delivered my letter to his grace; yet now methinks I do as good as know it, and dare adventure to present you with my humblest thanks for the favour. But the main point is, how his majesty should be moved; wherein my friends are straining courtesy; and unless I have your honour for a master of the ceremonies, to take order, who shall begin, all the benefit, that I can reap by this negotiation, will be to have the reputation of little judgment in attempting that which I was not able to obtain; and that howsoever I have shot fair, I know not how to hit the mark. I have been directed by my lord Roos, who was the

(*b*) Grandson of John, the first Lord Petre, and son of William, second Baron of that name.

first mover of this stone, to write a letter, which himself would deliver to the master of the horse (*c*), who doth me the honour to wish me very well: and I have obeyed his lordship, and beseech your honour, that you will be pleased to prevent, or to accompany, or second it with your commendation, lest otherwise the many words, that I have used, have but the virtue of a single *o*, or cypher. But indeed, if I had not been over-weighed by the authority of my lord Roos's commandment, I should rather have reserved the master of the horse's favour to some other use afterward. In conformity whereof, I have also written to his lordship; and perhaps he will thereupon forbear to deliver my letter to the master of the horse: whereas, I should be the less sorry, if your honour's self would not think it inconvenient to make the suit of my return to his majesty; in which case I should, to my extreme contentment, have all my obligations to your honour only.

His majesty's being now in progress will give some impediment to my suit, unless either it be my good fortune, that your honour do attend his person; or else that you will be pleased to command some one of the many servants your honour hath in court, to procure the expedition of my cause, wherein I can foresee no difficulty, when I consider the interest, which your honour alloweth me in your favour, and my innocent carriage abroad for so many years; whereunto all his majesty's ministers, who have known me, I am sure, will give an attestation, according to the contents of my letter to his grace of Canterbury.

If I durst, I would most humbly intreat your honour to be pleased, that some servant of yours may speedily advertise me, whether or no his grace of Canterbury hath received my letter; what his answer was; and what I may hope in this my suit. I remember, that the last words which I had the honour to hear from your mouth, were, that if I continued any time, free both

(*c*) Sir George Villiers, who was appointed to that office, Jan. 4, 161$\frac{5}{6}$.

from disloyalty and priesthood, your honour would be pleased to make yourself the intercessor for my return. Any letter sent to Mr. Trumball for me will come safely and speedily to my hands.

The term doth now last with your honour all the year long; and therefore the sooner I make an end, the better service I shall do you. I presume to kiss your hands, and continue

Your Honour's most intirely,
and humbly ever at commandment,

Spa, this 16th of July, *stylo novo*, 1616. TOBIE MATTHEW.

POSTSC. It is no small penance that I am forced to apparel my mind in my man's hand, when it speaks to your honour. But God Almighty will have it so, through the shaking I have in my right hand; and I do little less than want the use of my fore finger.

To Sir FRANCIS BACON, Attorney General.

It may please your Honour,

I PRESUMED to importune your honour with a letter of the 16th of this month, whereby I signified, how I had written to the master of the horse, that he would be pleased to move his majesty for my return into England; and how that I had done it upon the direction of my lord Roos, who offered to be the deliverer thereof. Withal I told your honour, that I expressed thereby an act rather of obedience, than prudence, as not holding his lordship a fit man, whom, by presenting that letter, the king might peradventure discover to be my favourer in this business. In regard whereof I besought him, that, howsoever I had complied with his command in writing, yet he would forbear the delivery: and I gave him divers reasons for it. And both in contemplation of those reasons, as also of the hazard of miscarriage, that letters do run into between these parts and those, I have now thought fit

to send your honour this inclosed, accompanied with a most humble intreaty, that you will be pleased to put it into the master of the horse's hands, with such a recommendation as you can give. Having read it, your honour may be pleased to seal it: and if his honour have received the former by other hands, this may serve in the nature of a duplicate or copy: if not, it may be the original. And indeed, though it should be but the copy, if it may be touched by your honour, it would have both greater grace and greater life, than the principal itself; and therefore howsoever, I humbly pray, that this may be delivered.

If my business should be remitted to the council table, which yet, I hope, will not be, I am most a stranger to my lord Chancellor and my lord Chamberlain (*a*) of whom yet I trust, by means of your honour's good word in my behalf, that I shall receive no impediment.

The bearer, Mr. Becher (*b*), can say what my carriage hath been in France, under the eye of several ambassadors; which makes me the more glad to use him in the delivery of this letter to your honour: and if your honour may be pleased to command me any thing, he will convey it to my knowledge.

I hear, to my unspeakable joy of heart, how much power you have with the master of the horse; and how much immediate favour you have also with his most excellent majesty: so that I cannot but hope for all good success, when I consider withal the protection, whereinto you have been pleased to take me, the

Most humble and most obliged

of your Honour's many servants,

Spa, this last of July, *stylo novo*, 1616. TOBIE MATTHEW.

(*a*) William, earl of Pembroke.

(*b*) William, afterwards knighted. He had been secretary to Sir George Calvert, ambassador to the court of France, and was afterwards agent at that court; and at last made clerk of the Council.

To Sir FRANCIS BACON, Attorney General.

May it please your Honour,

I HAVE been made happy by your honour's noble and dear lines of the two and twentieth of July: and the joy, that I took therein, was only kept from excess by the notice they gave me of some intentions and advices of your honour, which you have been pleased to impart to others of my friends, with a meaning, that they should acquaint me with them; whereof they have intirely failed. And therefore if still it should import me to understand what they were, I must be inforced to beg the knowledge of them from yourself. Your honour hath, by this short letter, delivered me otherwise from a great deal of laborious suspence. For, besides the great hope you give me of being so shortly able to do you reverence, I am come to know, that by the diligence of your favour towards me, my lord of Canterbury hath been drawn to give way, and the master of the horse hath been induced to move. That motion, I trust, will be granted howsoever; but I should be out of fear thereof, if, when he moves the king, your honour would cast to be present; that if his majesty should make any difficulty, some such reply, as is wont to come from you, in such cases, may have power to discharge it.

I have been told rather confidently than credibly, for in truth I am hardly drawn to believe it, that Sir Henry Goodere should under hand, upon the reason of certain accounts, that run between him and me, wherein I might justly lose my right, if I had so little wit, as to trouble your honour's infinite business, by a particular relation thereof, oppose himself to my return; and perform ill offices in conformity of that unkind affection, which he is said to bear me. But, as I said, I cannot absolutely believe it, though yet I could not so far despise the information, as not to acquaint your honour with what I heard. I offer it not

as a ruled case, but only as a query, as I have also done to Mr. Secretary Lake, in this letter, which I humbly pray your honour may be given him, together with your best advice, how my business is to be carried in this conjuncture of his majesty's drawing near to London, at which time I shall receive my sentence. I have learned from your honour to be confident, that it will be pronounced in my favour: but if the will of God should be otherwise, I shall yet frame for myself a good proportion of contentment; since, howsoever I was so unfortunate, as that I might not enjoy my country, yet withal, I was so happy, as that my return thither was desired and negotiated by the affection, which such a person as yourself vouchsafed to bear me. When his majesty shall be moved, if he chance to make difficulty about my return, and offer to impose any condition, which, it is known, I cannot draw myself to digest; I desire it may be remembered, that my case is common with many of his subjects, who breathe in the air of the country, and that my case is not common with many, since I have lived so long abroad with disgrace at home; and yet have ever been free not only from suspicion of practice, but from the least dependence upon foreign princes. My king is wise; and I hope, that he hath this just mercy in store for me. God Almighty make and keep your honour ever happy, and keep me so in his favour, as I will be sure to continue

Your Honour's ever most obliged
and devoted servant,

Antwerp, this first of Sept. *stylo novo*, 1616.

TOBIE MATTHEW.

POSTSCRIPT.

May it please your Honour,

I have written to Sir John Digby; and I think he would do me all favour, if he were handsomely put upon it. My lady of Pembroke (*a*) hath written, and

(*a*) Mary, widow of Henry, earl of Pembroke, who died January 19, 1601-2, daughter of Sir Henry Sidney, and sister of Sir Philip. She died September 25, 1621.

that very earnestly, to my lord Chamberlain in my behalf.

This letter goes by Mr. Robert Garret, to whom I am many ways beholden, for making me the best present, that ever I received, by delivering me your honour's last letter.

Sir FRANCIS BACON to the KING.

May it please your excellent Majesty,

BECAUSE I have ever found, that in business the consideration of persons, who are *instrumenta animata*, is no less weighty than of matters, I humbly pray your majesty to peruse this inclosed paper, containing a diligence which I have used *in omnem inventum*. If Towerson (*a*), as a passionate man, have overcome himself in his opinion, so it is. But if his company make this good, then I am very glad to see in the case, wherein we now stand, there is this hope left, and your majesty's honour preserved in the *entier*. God have your majesty in his divine protection.

Your Majesty's most devoted, and

most bounden servant, &c.

This is a secret to all men but my lord chancellor; and we go on this day with the new company, without discouraging them at all.

September 18, 1616.

Indorsed,

To the King, upon Towerson's propositions about the cloth business.

(*a*) Whose brother, captain Gabriel Towerson, was one of the English merchants executed by the Dutch at Amboyna, in 1623.

Richard Martin, Esq. (*a*) to Sir Francis Bacon.

Right Honourable,

MY attendance at court two days, in vain, considering the end of my journey, was no loss unto me, seeing thereby I made the gain of the overture and assurance of your honour's affection. These comforts have given new life and strength to my hopes, which before began to faint. I know, what your honour promiseth, you will undertake; and what you undertake, you seldom fail to compass; for such proof of your prudence and industry your honour hath of late times given to the swaying world. There is, to my understanding, no great intricacy in my affair, in which I plainly descry the course to the shore I would land at; to which neither I, nor any other can attain, without the direction of our great master-pilot, who will not stir much without the beloved mate sound the way. Both these none can so well set awork as yourself, who have not only their ear, but their affection, and that with good right, as I hope, in time, to good and public purpose. It is fit likewise, that your honour know all my advantages. The present incumbent is tied to me by firm promise, which gives an impediment to the competitors, whereof one already, according to the heaviness of his name and nature, *petit deorsum.* And though I be a bad courtier, yet I know the style of gratitude, and shall learn as I am instructed. Whatsoever your honour shall undertake for me, I will make good. Therefore I humbly and earnestly intreat your best endeavour, to assure to

(*a*) Born about 1570, entered a commoner of Broad-gate's hall, now Pembroke-college, Oxford, in 1585, whence he removed to the Middle Temple. In the parliament of 1601, he served for the borough of Barnstaple in Devon; and in the first parliament of king James I. he served for Cirencester in Gloucestershire; he was chosen recorder of London in September, 1618; but died in the last day of the following month. He was much esteemed by the men of learning and genius of that age.

yourself and your master a servant, who both can and will, though as yet mistaken, advance his honour and service with advantage. Your love and wisdom is my last address; and on the real nobleness of your nature, whereof there is so good proof, stands my last hope. If I now find a stop, I will resolve it is *fatum Carthaginis*, and sit down in perpetual peace. In this business I desire all convenient silence; for though I can endure to be refused, yet it would trouble me to have my name blasted. If your honour return not, and you think it requisite, I will attend at court. Mean time, with all humble and hearty wishes for increase of all happiness, I kiss your honour's hands.

Your Honour's humbly at command,

September 27, 1616.

R. MARTIN.

To the right honourable Sir Francis Bacon, Knight, his Majesty's Attorney General, and one of his Majesty's most honourable privy council, my singular patron at court.

To the KING.

It may please your Majesty,

THIS morning, according to your majesty's command, we have had my lord chief justice of the king's bench (*a*) before us, we being assisted by all our learned council, except serjeant Crew, who was then gone to attend your majesty. It was delivered unto him, that your majesty's pleasure was, that we should receive an account from him of the performance of a commandment of your majesty laid upon him, which was, that he should enter into a view and retraction of such novelties, and errors, and offensive conceits, as were dispersed in his *Reports;* that he had had good time to do it; and we doubted not but he had

(*a*) Sir Edward Coke.

used good endeavour in it, which we desired now in particular to receive from him.

His speech was, that there were of his *Reports* eleven books, that contained about five hundred cases: that heretofore in other *Reports*, as namely, those of Mr. Plowden (*b*), which he reverenced much, there hath been found nevertheless errors, which the wisdom of time had discovered, and later judgments controlled; and enumerated to us four cases in Plowden, which were erroneous: and thereupon delivered in to us the inclosed paper, wherein your majesty may perceive, that my lord is an happy man, that there should be no more errors in his five hundred cases, than in a few cases of Plowden. Your majesty may also perceive, that your majesty's direction to my lord chanchellor and myself, and the travail taken by us and Mr. Solicitor (*c*), in following and performing your direction, was not altogether lost; for that of those three heads, which we principally respected, which were the rights and liberties of the church, your prerogative, and the jurisdiction of other your courts, my lord hath scarcely fallen upon any, except it be the prince's case, which also yet seemeth to stand but upon the grammatical, of French and Latin.

My lord did also give his promise, which your majesty shall find in the end of his writing, thus far in a kind of common place or thesis, that it was sin for a man to go against his own conscience, though erro-

(*b*) Edmund Plowden, born of an antient family of that name at Plowden in Shropshire, who, as he tells us himself in the preface to his *Reports*, in the twentieth year of his age, and the thirtieth of the reign of Henry VIII. *anno* 1539, began his study of the common law in the Middle Temple. Wood adds *Ath. Oxon Vol.* 1. *col.* 219, that he spent three years in the study of arts, philosophy, and physic, at Cambridge, and four at Oxford, where in November 1552 he was admitted to practise chirurgery and physic. In 1557 he became summer reader of the Middle Temple, and three years after lent reader, having been made serjeant, October 27, 1558. He died February 6, 1584-5, at the age of sixty-seven, in the profession of the Roman catholic faith, and lies interred in the Temple church.

(*c*) Sir Henry Yelverton.

neous, except his conscience be first informed and satisfied.

The lord chancellor in the conclusion signified to my lord Coke your majesty's commandment, that until report made, and your pleasure thereupon known, he shall forbear his sitting at Westminster, &c. not restraining nevertheless any other exercise of his place of chief justice in private.

Thus having performed, to the best of our understanding, your royal commandant, we rest ever

Your Majesty's most faithful,

and most bounden servants, &c.

The Lord Viscount VILLIERS to Sir FRANCIS BACON, Attorney General.

SIR,

I HAVE acquainted his majesty with my lord chancellor's and your report, touching my lord Coke; as also with your opinion therein; which his majesty doth dislike for these three reasons: first, because, that by this course you propound, the process cannot have a beginning, till after his majesty's return; which, how long it may last after, no man knoweth. He therefore thinketh it too long and uncertain a delay, to keep the bench so long void from a chief justice. Secondly, although his majesty did use the council's advice in dealing with the chief justice upon his other misdemeanors; yet he would be loth to lessen his prerogative, in making the council judges, whether he should be turned out of his place or no, if the case should so require. Thirdly, for that my lord Coke hath sought means to kiss his majesty's hands, and withal to acquaint him with some things of great importance to his service; he holdeth it not fit to admit him to his presence, before these points be determined, because that would be a grant of his pardon before he had his trial. And if those things,

wherewith he is to acquaint his majesty, be of such consequence, it would be dangerous and prejudicial to his majesty, to delay him too long. Notwithstanding, if you shall advise of any other reasons to the contrary, his majesty would have you, with all the speed you can, to send them unto him; and in the mean time to keep back his majesty's letter, which is herein sent unto you, from my lord Coke's knowledge, until you receive his majesty's further direction for your proceeding in his business.

And so I rest,

your ever assured friend at command,

Theobald's,
the 3d of October, 1616.

GEORGE VILLIERS.

To the Right Honourable Sir Francis Bacon, Knight, his Majesty's Attorney General, and of his most honourable privy council.

To the KING.

It may please your most excellent Majesty,

WE have considered of the letters, which we received from your majesty, as well that written to us both, as that other written by my lord Villiers to me, the attorney, which I thought good to acquaint my lord chancellor withal, the better to give your majesty satisfaction. And we most humbly desire your majesty to think, that we are, and ever shall be, ready to perform and obey your majesty's directions; towards which the first degree is to understand them well.

In answer therefore to both the said letters, as well concerning matter as concerning time, we shall in all humbleness offer to your majesty's high wisdom the considerations following.

First, we did conceive, that after my lord Coke was sequestered from the table and his circuits (*a*), when

(*a*) On the 30th of June, 1616, *Camdeni Annales Regis Jacobi I.* p. 19; and Peck, *Desiderata Curiosa*, Vol. I. Lib. VI. p. 18.

your majesty laid upon him your commandment for the expurging of his *Reports*, and commanded also our service to look into them, and into other novelties introduced into the government, your majesty had in this your doing two principal ends:

The one, to see, if upon so fair an occasion he would make any expiation of his former faults: and also shew himself sensible of those things in his *Reports*, which he could not but know were the likest to be offensive to your majesty.

The other, to perform *de vero* this right to your crown and succession, and your people also; that those errors and novelties might not run on, and authorize by time, but might be taken away, whether he consented to it or no.

But we did not conceive your majesty would have had him charged with those faults of his book, or those other novelties; but only would have had them represented to you for your better information.

Now your majesty seeth what he hath done, you can better judge of it than we can. If, upon this probation added to former matters, your majesty think him not fit for your service, we must in all humbleness subscribe to your majesty, and acknowledge that neither his displacing, considering he holdeth his place but during your will and pleasure, nor the choice of a fit man to be put in his room, are council-table matters, but are to proceed wholly from your majesty's great wisdom and gracious pleasure. So that in this course, it is but the signification of your pleasure, and the business is at an end as to him. Only there remaineth the actual expurgation or animadversions of the books.

But if your majesty understand it, that he shall be charged, then, as your majesty best knoweth, justice requireth, that he be heard and called to his answer, and then your majesty will be pleased to consider, before whom he shall be charged; whether before the body of your council, as formerly he was, or some selected commissioners; for we conceive your majesty will not think it convenient it should be before us

two only. Also the manner of his charge is considerable, whether it shall be verbal by your learned council, as it was last; or whether, in respect of the multiplicity of matters, he shall not have the collections we have made in writing, delivered to him. Also the matter of his charge is likewise considerable, whether any of those points of novelty, which by your majesty's commandment we collected, shall be made part of his charge; or only the faults of his books, and the prohibitions and *habeas corpus*, collected by my lord of Canterbury. In all which course we foresee length of time, not so much for your learned council to be prepared, for that is almost done already, but because himself no doubt, will crave time of advice to peruse his own books, and to see, whether the collections be true, and that he be justly charged; and then to produce his proofs, that those things, which he shall be charged with, were not conceits or singularities of his own, but the acts of court, and other like things, tending to excusation or extenuation; wherein we do not see, how the time of divers days, if not of weeks, can be denied him.

Now for time, if this last course of charging him be taken, we may only inform your majesty thus much, that the absence of a chief justice, though it should be for a whole term, as it hath been often upon sickness, can be no hindrance to common justice. For the business of the king's bench may be dispatched by the rest of the judges: his voice in the star-chamber may be supplied by any other judge, that my lord chancellor shall call; and the trials by *nisi prius* may be supplied by commission.

But as for those great matters of discovery, we can say nothing more than this, that either they are old or new. If old, he is to blame for having kept them so long: if new, or whatsoever, he may advertise your majesty of them by letter, or deliver them by word to such counsellor as your majesty will assign.

Thus we hope your majesty will accept of our sincerity, having dealt freely and openly with your majesty, as becometh us: and when we shall receive

your pleasure and direction, we shall execute and obey the same in all things; ending with our prayers for your majesty, and resting

Your Majesty's most faithful, and
most bounden servants,

October 6, 1616.

T. Ellesmere Canc.
Fr. Bacon.

Remembrances of his Majesty's declaration, touching the Lord Coke.

THAT although the discharging and removing of his majesty's officers and servants, as well as the choice and advancement of men to place, be no council-table matters, but belong to his majesty's princely will and secret judgment; yet his majesty will do his council this honour, that in his resolutions of that kind, his council shall know them first before others, and shall know them, accompanied by their causes, making as it were a private manifesto, or revealing of himself to them without parables.

Then to have the report of the lords touching the business of the lord Coke, and the last order of the council read.

That done, his majesty farther to declare, that he might, upon the same three grounds in the order mentioned, of deceit, contempt, and slander of his government, very justly have proceeded then, not only to have put him from his place of chief justice, but to have brought him in question in the star-chamber, which would have been his utter overthrow; but then his majesty was pleased for that time only to put him off from the council-table, and from the public exercise of his place of chief justice, and to take farther time to deliberate.

That in his majesty's deliberation, besides the present occasion, he had in some things looked back to the lord Coke's former carriage, and in some things looked forward, to make some farther trial of him.

That for things passed, his majesty had noted in him a perpetual turbulent carriage, first towards the liberties of his church and estate ecclesiastical; towards his prerogative royal, and the branches thereof; and likewise towards all the settled jurisdictions of all his other courts, the high commission, the star-chamber, the chancery, the provincial councils, the admiralty, the duchy, the court of requests, the commission of inquiries, the new boroughs of Ireland; in all which he had raised troubles and new questions; and lastly, in that, which might concern the safety of his royal person, by his exposition of the laws in cases of high treason.

That besides the actions themselves, his majesty in his princely wisdom hath made two special observations of him; the one, that he having in his nature not one part of those things, which are popular in men, being neither civil, nor affable, nor magnificent, he hath made himself popular by design only, in pulling down government. The other, that whereas his majesty might have expected a change in him, when he made him his own, by taking him to be of his council, it made no change at all, but to the worse, he holding on all his former channel, and running separate courses from the rest of his council; and rather busying himself in casting fears before his council, concerning what they could not do, than joining his advice what they should do.

That his majesty, desirous yet to make a farther trial of him, had given him the summer's vacation to reform his *Reports*, wherein there be many dangerous conceits of his own uttered for law, to the prejudice of his crown, parliament, and subjects; and to see, whether by this he would in any part redeem his fault. But that his majesty hath failed of the redemption he desired, but hath met with another kind of redemption from him, which he little expected. For as to the *Reports*, after three months time and consideration, he had offered his majesty only five animadversions, being rather a scorn, than a satisfaction to his majesty; whereof one was that in the prince's case

he had found out the French statute, which was *filz aisné*, whereas the Latin was *primogenitus;* and so the prince is duke of Cornwall in French, and not duke of Cornwall in Latin. And another was, that he had set Montagu to be chief justice in Henry VIII's time, when it should have been in Edward VI's, and such other stuff; not falling upon any of those things, which he could not but know were offensive.

That hereupon his majesty thought good to refresh his memory, and out of many cases, which his majesty caused to be collated, to require his answer to five, being all such, as were but expatiations of his own, and no judgments; whereunto he returned such an answer, as did either justify himself, or elude the matter, so as his majesty seeth plainly *antiquum obtinet.*

To Sir Francis Bacon, Attorney General (*a*).

SIR,

I HAVE kept your man here thus long, because I thought there would have been some occasion for me to write after Mr. Solicitor General's being with the king. But he hath received so full instruction from his majesty, that there is nothing left for me to add in the business. And so I rest

Your faithful servant,

Royston, the 13th of Octob. 1616. George Villiers.

To the right honourable Sir Francis Bacon, knight, one of his majesty's privy council, and his attorney general.

(*a*) Harl. MSS. Vol. 7006.

Sir EDMUND BACON (*a*) to Sir FRANCIS BACON, Attorney General.

My Lord,

I AM bold to present unto your hands by this bearer, whom the law calls up, some salt of wormwood, being uncertain, whether the regard of your health makes you still continue the use of that medicine. I could wish it otherwise; for I am persuaded, that all diuretics, which carry with them that puntuous nature and caustic quality by calcination, are hurtful to the kidnies, if not enemies to the other principal parts of the body. Wherein if it shall please you for your better satisfaction, to call the advice of your learned physicians, and that they shall resolve of any medicine for your health, wherein my poor labour may avail you, you know where your faithful apothecary dwells, who will be ready at your commandment; as I am bound both by your favours to myself, as also by those to my nephew, whom you have brought out of darkness into light, and, by what I hear, have already made him, by your bounty, a subject of emulation to his elder brother. We are all partakers of this your kindness towards him; and for myself, I shall be ever ready to deserve it by any service that shall lie in the power of

Your lordship's poor nephew,

Redgrave, this 19th of October, 1616. EDM. BACON.

For the right honourable Sir Francis Bacon, knight, his majesty's attorney general, and one of his most honourable privy counsellors, be these delivered at London.

(*a*) Nephew of Sir Francis Bacon, being eldest son of Sir Nicholas Bacon, lord keeper of the great seal. Sir Edmund died without issue, April 10, 1649. There are several letters to him from Sir Henry Wotton, printed among the works of the latter.

To the KING.

May it please your excellent Majesty,

I SEND your majesty a form of discharge for my lord Coke from his place of chief justice of your bench (*a*).

I send also a warrant to the lord chancellor, for making forth a writ for a new chief justice, leaving a blank for the name to be supplied by your majesty's presence; for I never received your majesty's express pleasure in it.

If your majesty resolve of Montagu (*b*) as I conceive and wish, it is very material, as these times are, that your majesty have some care, that the recorder succeeding be a temperate and discreet man, and assured to your majesty's service. If your majesty, without too much harshness, can continue the place within your own servants, it is best: if not, the man, upon whom the choice is like to fall, which is Coventry (*c*), I hold doubtful for your service; not but that he is a well learned, and an honest man; but he hath been, as it were, bred by lord Coke, and seasoned in his ways.

God preserve your majesty.

Your Majesty's most humble
and bounden servant,
FR. BACON.

I send not these things, which concern my lord Coke, by my lord Villiers, for such reasons as your majesty may conceive.

November 13, at noon [1616.]

(*a*) Sir Edward Coke was removed from that post on the 15th of November, 1616.

(*b*) Sir Henry Montagu, recorder of London, who was made lord chief justice of the King's Bench, November 16, 1616. He was afterwards made lord treasurer, and created earl of Manchester.

(*c*) Thomas Coventry, Esq; afterwards lord keeper of the great seal.

To the KING.

It may please your most excellent Majesty,

I SEND your majesty, according to your commandment, the warrant for the review of Sir Edward Coke's *Reports*. I had prepared it before I received your majesty's pleasure: but I was glad to see it was in your mind, as well as in my hands. In the nomination, which your majesty made of the judges, to whom it should be directed, your majesty could not name the lord chief justice, that now is (*a*), because he was not then declared: but you could not leave him out now, without discountenance.

I send your majesty the state of lord Darcy's cause (*b*) in the star chamber, set down by Mr. Solicitor (*c*), and mentioned in the letters, which your majesty received from the lords. I leave all in humbleness to your majesty's royal judgment: but this is

(*a*) Sir Henry Montagu.

(*b*) This is just mentioned in a letter of Sir Francis Bacon to the lord viscount Villiers, printed in his works; but is more particularly stated in the *Reports* of Sir Henry Hobart, lord chief justice of the Common Pleas, p. 120, 121. Edit. London, 1658, fol. as follows. The lord Darcy of the North sued Gervase Markham, Esq; in the Star-Chamber, in 1616, on this occasion. They had hunted together, and the defendant and a servant of the plaintiff, one Beckwith, fell together by the ears in the field; and Beckwith threw him down, and was upon him cuffing him, when the lord Darcy took his servant off, and reproved him. However, Mr. Markham expressing some anger against his lordship, and charging him with maintaining his man, lord Darcy answered, that he had used Mr. Markham kindly; for if he had not rescued him from his man, the latter would have beaten him to rags. Mr. Markham, upon this, wrote five or six letters to lord Darcy, subscribing them with his name; but did not send them, and only dispersed them unsealed in the fields; the purport of them being this: that whereas the lord Darcy had said, that, but for him, his servant Beckwith had beaten him to rags, he lied; and as often as he should speak it, he lied; and that he would maintain this with his life: adding, that he had dispersed those letters, that his lordship might find them, or somebody else bring them to him; and that if his lordship were desirous to speak with him, he might send his boy, who should be well used. For this offence, Mr. Markham was censured, and fined 500l. by the Star-Chamber.

(*c*) Sir Henry Yelverton.

true, that it was the clear opinion of my lord chancellor, and myself, and the two chief justices, and others, that it is a cause most fit for the censure of the court, both for the repressing of duels, and the encouragement of complaints in courts of justice. If your majesty be pleased it shall go on, there resteth but Wednesday for the hearing; for the last day of term is commonly left for orders, though sometimes, upon extraordinary occasion, it hath been set down for the hearing of some great cause.

I send your majesty also baron Bromley's (*d*) report, which your majesty required; whereby your majesty may perceive things go not so well in Cumberland, which is the seat of the party your majesty named to me, as was conceived. And yet if there were land-winds, as there be sea-winds, to bind men in, I could wish he were a little wind-bound, to keep him in the south.

But while your majesty passeth the accounts of judges in circuits, your majesty will give me leave to think of the judges here in their upper region. And because Tacitus saith well, *opportuni magnis conatibus transitus rerum;* now upon this change, when he, that letteth, is gone, I shall endeavour, to the best of my power and skill, that there may be a consent and united mind in your judges to serve you, and strengthen your business. For I am persuaded there cannot be a sacrifice, from which there may come up to you a sweeter odour of rest, than this effect, whereof I speak.

For this wretched murderer, Bertram (*e*), now gone to his place, I have, perceiving your majesty's good liking of what I propounded, taken order, that there

(*d*) Edward Bromley, made one of the barons of the Exchequer, February 6, $16\frac{22}{23}$.

(*e*) John Bertram, a grave man, above seventy years of age, and of a clear reputation, according to Camden, *Annales Regis Jacobi I.* p. 21. He killed with a pistol, in Lincoln's Inn, on the 12th of November, 1616, Sir John Lynda, a master in Chancery, for having made a report against him in a cause, wherein the sum contended for did not exceed 200 l. He hanged himself in prison on the 17th of that month.

shall be a declaration concerning the cause in the king's bench, by occasion of punishment of the offence of his keeper; and another in chancery, upon the occasion of moving for an order, according to his just and righteous report. And yet withal, I have set on work a good pen (*f*), and myself will overlook it, for making some little pamphlet fit to fly abroad in the country.

For your majesty's proclamation touching the wearing of cloth, after I had drawn a form as near as I could to your majesty's direction, I propounded it to the lords, my lord chancellor being then absent; and after their lordships' good approbation, and some points by them altered, I obtained leave of them to confer thereupon with my lord chancellor and some principal judges, which I did this afternoon: so as, it being now perfected, I shall offer it to the board to-morrow, and so send it to your majesty.

So humbly craving your majesty's pardon for troubling you with so long a letter, specially being accompanied with other papers, I ever rest

Your Majesty's most humble

and bounden servant,

This 21st of November, at ten at Night [1616.]

FR. BACON.

Remembrances for the KING before his going into Scotland.

May it please your Majesty,

ALTHOUGH your journey be but as a long progress, and that your majesty shall be still within your own land; and therefore any extraordinary course neither needful, nor in my opinion fit; yet nevertheless, I thought it agreeable to my duty and care of your service, to put you in mind of those points of form, which have relation, not so much to a journey

(*f*) Mr. Trott.

into Scotland, as to an absence from your city of London for six months, or to a distance from your said city near three hundred miles; and that in an ordinary course, wherein I lead myself, by calling to consideration what things there are, that require your signature, and may seem not so fit to expect sending to and fro; and therefore to be supplied by some precedent warrants.

First, your ordinary commissions of justice, of assize, and the peace, need not your signature, but pass of course by your chancellor. And your commissions of lieutenancy, though they need your signature, yet if any of the lieutenants should die, your majesty's choice and pleasure may be very well attended. Only I should think fit, under your majesty's correction, that such of your lord lieutenants, as do not attend your person, were commanded to abide within their counties respectively.

For grants, if there were a longer cessation, I think your majesty will easily believe it will do no hurt. And yet if any be necessary, the continual dispatches will supply that turn.

That, which is chiefly considerable, is proclamations, which all do require your majesty's signature, except you leave some warrant under your great seal to your standing council here in London.

It is true, I cannot foresee any case of such sudden necessity, except it should be the apprehension of some great offenders, or the adjournment of the term upon si. ness, or some riot in the city, such as hath been about the liberties of the Tower, or against strangers, &c. But your majesty, in your great wisdom, may perhaps think of many things, that I cannot remember or foresee: and therefore it was fit to refer those things to your better judgment.

Also my lord chancellor's age and health is such, as it doth not only admit, but require the accident of his death (*g*) to be thought of; which may fall in such a time, as the very commissions of ordinary justice

(*g*) He died at the age of seventy, on the 15th of March, 161$\frac{6}{7}$, having resigned the great seal on the 3d of that month; which was given on the 7th to Sir Francis Bacon.

before mentioned, and writs, which require present dispatch, cannot well be put off. Therefore your majesty may be pleased to take into consideration, whether you will not have such a commission, as was prepared about this time twelvemonth in my lord's extreme sickness, for the taking of the seal into custody, and for the seal of writs and commissions for ordinary justice, till you may advise of a chancellor or keeper of the great seal.

Your majesty will graciously pardon my care, which is assiduous; and it is good to err in caring even rather too much than too little. These things, for so much as concerneth forms, ought to proceed from my place, as attorney, unto which you have added some interest in matter, by making me of your privy council. But for the main they rest wholly in your princely judgment, being well informed; because miracles are ceased, though admiration will not cease, while you live.

Indorsed, February 21, 1616.

Sir Edward Coke to the King.

Most gracious Sovereign,

I THINK it now my duty to inform your majesty of the motives that induced the lord chancellor and judges to resolve, that a murder or felony, committed by one Englishman upon another in a foreign kingdom, shall be punished before the constable and marshal here in England.

First, in the book-case, in the 13th year of king Henry the fourth, in whose reign the statute was made, it is expressly said, one liege-man was killed in Scotland by another liege-man; and the wife of him that was killed, did sue an appeal of murder in the constable's court of England. *Vide Statutum*, saith the book, *de primo Henrici IV.* Cap. 14. *Et contemporanea expositio est fortissima in Lege.* Stanford,(*a*)

(*a*) Sir William, the most antient writer on the pleas of the crown. He was born in Middlesex August, 22, 1509, educated in the university of Oxford, studied the law at Gray's-Inn, in which he was elected autumn reader in 1545, made serjeant in 1552, the year following queen's serjeant, and, in 1554, one of the justices of the Common Pleas. He died August 28, 1558.

an author without exception, saith thus, *fol.* 65, *a.*: "By the statute of Henry IV. Cap. 14. if any subject "kill another subject in a foreign kingdom, the wife "of him, that is slain, may have an appeal in Eng- "land before the constable and marshal, which is a "case *in terminis terminantibus*. And when the wife, "if the party slain have any, shall have an appeal, "there, if he hath no wife, his next heir shall have it."

If any fact be committed out of the kingdom, upon the high sea, the lord admiral shall determine it. If in a foreign kingdom, the cognizance belongeth to the constable, where the jurisdiction pertains to him.

And these authorities being seen by Bromley, chancellor, and the two chief justices, they clearly resolved the case, as before I have certified your majesty.

I humbly desire I may be so happy, as to kiss your majesty's hands, and to my exceeding comfort to see your sacred person; and I shall ever rest

Your Majesty's faithful and loyal subject,

Feb. 25 [161$\frac{5}{7}$]. EDW. COKE.

To the King's most excellent Majesty.

To the KING (*a*).

May it please your most excellent Majesty,

MY continual meditations upon your majesty's service and greatness have, amongst other things, produced this paper inclosed, which I most humbly pray your majesty to excuse, being that, which, in my judgment, I think to be good both *de vero*, and *ad populum*. Of other things I have written to my lord of Buckingham. God for ever preserve and prosper your majesty.

Your Majesty's humble servant,
most devoted and most bounden,

March 23, 1616. FR. BACON.

Indorsed,

My lord keeper to his majesty, with some additional instructions for Sir John Digby.

(*a*) His Majesty had begun his journey towards Scotland, on the 14th of March, 161$\frac{5}{7}$.

Additional instructions to Sir JOHN DIGBY (*a*).

BESIDES your instructions directory to the substance of the main errand, we would have you in the whole carriage and passages of the negotiation, as well with the king himself, as the duke of Lerma, and council there, intermix discourse upon fit occasions, that may express ourselves to the effect following:

That you doubt not, but that both kings, for that which concerns religion, will proceed sincerely, both being intire and perfect in their own belief and way. But that there are so many noble and excellent effects, which are equally acceptable to both religions, and for the good and happiness of the christian world, which may arise of this conjunction, as the union of both kings in actions of state, as may make the difference in religion as laid aside, and almost forgotten.

As first, that it will be a means utterly to extinguish and extirpate pirates, which are the common enemies of mankind, and do so much infest Europe at this time.

Also, that it may be a beginning and seed (for the like actions heretofore have had less beginnings) of a holy war against the Turk: whereunto it seems the events of time do invite Christian kings, in respect of the great corruption and relaxation of discipline of war in that empire; and much more in respect of the utter ruin and enervation of the Grand Signor's navy and forces by sea; which openeth a way, with congregating vast armies by land, to suffocate and starve Constantinople, and thereby to put those provinces into mutiny and insurrection.

Also, that by the same conjunction there will be erected a tribunal, or prætorian power, to decide the controversies, which may arise amongst the princes and estates of Christendom, without effusion of Christian blood; for so much as any estate of Christendom

(*a*) Ambassador to the court of Spain.

will hardly recede from that, which the two kings shall meditate and determine.

Also, that whereas there doth, as it were, creep upon the ground a disposition in some places to make popular estates and leagues to the disadvantage of monarchies, the conjunction of the two kings will be able to stop and impedite the growth of any such evil.

These discourses you shall do well frequently to treat upon, and therewithal to fill up the spaces of the active part of your negotiation; representing, that it stands well with the greatness and majesty of the two kings to extend their cogitations and the influence of their government, not only to their own subjects but to the state of the whole world besides, specially the Christian portion thereof.

Account of Council Business.

FOR remedy against the infestation of pirates, than which there is not a better work under heaven, and therefore worthy of the great care his majesty hath expressed concerning the same, this is done:

First, Sir Thomas Smith (*a*) hath certified in writing, on the behalf of the merchants of London, that there will be a contribution of 20,000l. a year, during two years space, towards the charge of repressing the pirates; wherein we do both conceive, that this, being as the first offer, will be increased. And we consider also, that the merchants of the West, who have sustained in proportion far greater damage than those of London, will come into the circle, and follow the ex-

(*a*) Of Biborough in Kent, second son of Thomas Smith, of Ostenhanger, of that county, Esq; He had farmed the customs in the reign of queen Elizabeth, and was sent, by king James I. ambassador to the court of Russia, in March 1604-5; from whence returning, he was made governor of the society of merchants trading to the East-Indies, Muscovy, the French and Summer Islands; and treasurer for the colony and company of Virginia. He built a magnificent house at Deptford, which was burnt on the 30th of January, 1618; and in April 1619, he was removed from his employment of governor and treasurer, upon several complaints of frauds committed by him.

ample: and for that purpose letters are directed unto them.

Secondly, for the consultation *de modo* of the arming and proceeding against them, in respect that my lord admiral (*b*) cometh not yet abroad, the table hath referred it to my lord treasurer (*c*), the lord Carew (*d*), and Mr. Chancellor of the Exchequer (*e*), who heretofore hath served as treasurer of the navy, to confer with the lord admiral, calling to that conference Sir Robert Mansell, and others expert in sea-service; and so to make report unto the board. At which time some principal merchants shall likewise attend for the lords better information.

So that, when this is done, his majesty shall be advertised from the table: whereupon his majesty may be pleased to take into this royal consideration, both the business in itself, and as it may have relation to Sir John Digby's embassage.

For safety and caution against tumults and disorders in and near the city, in respect of some idle flying papers, that were cast abroad of a May-day, &c. the lords have wisely taken a course neither to nurse it, or nourish it, by too much apprehension, nor much less to neglect due provision to make all sure. And therefore order is given, that as well the trained bands, as the military bands, newly erected, shall be in muster as well weekly, in the mean time, on every Thursday, which is the day upon which May-day falleth, as in the May week itself, the Monday, Tuesday, Wednesday, and Thursday. Besides, that the strength of the watch shall that day be increased.

For the buildings in and about London, order is given for four selected aldermen, and four selected justices, to have the care and charge thereof laid upon them; and they answerable for the observing of

(*b*) Charles Howard, earl of Nottingham.

(*c*) Thomas Howard, earl of Suffolk.

(*d*) George, lord Carew, who had been president of Munster in Ireland, and was now master of the ordnance. He was created earl of Totness by king Charles I. 1626.

(*e*) Sir Fulk Greville.

his majesty's proclamation, and for stop of all farther building; for which purposes the said *Estus* are warned to be before the board, where they shall receive a strait charge, and be tied to a continual account.

For the provosts marshals, there is already direction given for the city and the counties adjacent; and it shall be strengthened with farther commission, if there be cause.

For the proclamation, that lieutenants, not being counsellors, deputy-lieutenants, justices of the peace, and gentlemen of quality, should depart the city, and reside in their counties: we find the city so dead of company of that kind for the present, as we account it out of season to command that, which is already done. But after men have attended their business the two next terms, in the end of Trinity-term, according to the custom when the justices shall attend at the star-chamber, I shall give a charge concerning the same; and that shall be corroborated by a proclamation, if cause be.

For the information given against the Witheringtons, that they should countenance and abet the spoils and disorders in the middle shires; we find the informers to falter and fail in their accusation. Nevertheless, upon my motion, the table hath ordered, that the informer shall attend one of the clerks of the council, and set down articulately what he can speak, and how he can prove it, and against whom, either the Witheringtons or others.

For the causes of Ireland, and the late letters from the deputy (*f*), we have but entered into them, and have appointed Tuesday for a farther consultation of the same; and therefore of that subject I forbear to write more for this present.

Indorsed,

March 30, 1617. An account of council business.

(*f*) Sir Oliver St. John, afterwards viscount Grandison.

To the Lord KEEPER (*a*).

My honourable Lord,

WHEREAS the late lord chancellor thought it fit to dismiss out of the chancery a cause touching Henry Skipwith to the common law, where he desireth it should be decided: these are to intreat your lordship (*b*) in the gentleman's favour, that if the adverse party shall attempt to bring it now back again into your lordship's court, you would not retain it there, but let it rest in the place where now it is, that without more vexation unto him in posting him from one to another, he may have a final hearing and determination thereof. And so I rest

Your Lordship's ever at command,

G. BUCKINGHAM.

My Lord,

This is a business, wherein I spake to my lord Chancellor (*c*); whereupon he dismissed the suit.

Lincoln, the 4th of April, 1617.

To the Reverend UNIVERSITY of OXFORD (*d*).

AMONGST the gratulations I have received, none are more welcome and agreeable to me than your letters, wherein the less I acknowledge of those attri-

(*a*) Harl. MSS. Vol. 7006.

(*b*) This is the first of many letters, which the marquis of Buckingham wrote to lord Bacon in favour of persons, who had causes depending in, or likely to come into, the court of Chancery. And it is not improbable, that such recommendations were considered in that age as less extraordinary and irregular, than they would appear now. The marquis made the same kind of applications to lord Bacon's successor, the lord keeper Williams, in whose *Life*, by bishop Hacket, Part I. p. 107, we are informed, that "there was not a cause of "moment, but, as soon as it came to publication, one of the parties "brought letters from this mighty peer, and the lord keeper's "patron."

(*c*) Ellesmere.

(*d*) From the collections of the late Robert Stephens, Esq; historiographer royal, and John Locker, Esq; now in possession of the editor.

butes you give me, the more I must acknowledge of your affection, which bindeth me no less to you, that are professors of learning, than my own dedication doth to learning itself. And therefore you have no need to doubt, but I will emulate, as much as in me is, towards you the merits of him that is gone, by how much the more I take myself to have more propriety in the principal motive thereof. And for the equality you write of, I shall by the grace of God, far as may concern me, hold the balance as equally between the two universities, as I shall hold the balance of other justice between party and party. And yet in both cases I must meet with some inclinations of affection, which nevertheless shall not carry me aside. And so I commend you to God's goodness.

Your most loving and assured friend,

Gorhambury, April 12, 1617.

Fr. Bacon.

To the Lord Keeper (*a*).

My honourable Lord,

I HAVE acquainted his majesty with your letters, who liked all your proceedings well, saving only the point, for which you have since made amends, in obeying his pleasure touching the proclamation. His majesty would have your lordship go thoroughly about the business of Ireland, whereinto you are so well entered, especially at this time, that the chief justice (*b*) is come over, who hath delivered his opinion thereof to his majesty, and hath understood

(*a*) Harl. MSS. Vol. 7006.

(*b*) Sir John Denham, one of the lords justices of Ireland in 1616. He was made one of the barons of the Exchequer in England, May 2, 1617. He died January 6, 1638, in the eightieth year of his age. He was the first who set up customs in Ireland (not but there were laws for the same before;) of which the first year's revenue amounted but to 500*l*; but before his death, which was about twenty-two years after, they were let for 54,000*l*. *per annum*. *Borlase's Reduction of Ireland to the crown of England*, p. 200. Edit. London, 1675.

what his majesty conceived of the same; wherewith he will acquaint your lordship, and with his own observation and judgment of the businesses of that country.

I give your lordship hearty thanks for your care to satisfy my lady of Rutland's (*c*) desire; and will be as careful, when I come to York, of recommending your suit to the bishop (*d*). So I rest

Your Lordship's ever at command,

G. BUCKINGHAM.

Newark, the 5th of April, 1617.

To my very honourable lord, Sir Francis Bacon, knight, and lord keeper of the great seal of England.

To the Lord KEEPER (*e*).

My very good Lord,

I SPAKE at York with the archbishop (*f*), touching the house, which he hath wholly put into your hands, to do with it what your lordship shall be pleased.

I have heretofore, since we were in this journey, moved his majesty for dispatch of my lord Brackley's (*g*) business: but because his majesty never having heard of any precedent in the like case, was of

(*c*) Frances countess of Rutland, first wife of Francis Rutland, and daughter and coheir of Sir Henry Knevet, of Charleton in Wiltshire, knight. She had by the earl an only daughter and heir, Catharine, first married to George, marquis, and afterwards duke, of Buckingham; and secondly to Randolph Mac-Donald, earl, and afterwards marquis, of Antrim in Ireland.

(*d*) Relating to York-house.

(*e*) Harl. MSS. Vol. 7006.

(*f*) Dr. Tobie Matthew.

(*g*) Who desired to be created earl in an unusual manner, by letters patents, without the delivering of the patent by the king's own hand, or without the ordinary solemnities of creation. He was accordingly created earl of Bridgwater, May 27, 1617.

opinion, that this would be of ill consequence in making that dignity as easy, as the pulling out of a sword to make a man a knight, and so make it of little esteem, he was desirous to be assured, first, that it was no new course, before he would do it in that fashion. But since he can receive no assurance from your lordship of any precedent in that kind, his majesty intendeth not so to precipitate the business, as to expose that dignity to censure and contempt, in omitting the solemnities required, and usually belonging unto it.

His majesty, though he were awhile troubled with a little pain in his back, which hindered his hunting, is now, God be thanked, very well, and as merry as he ever was; and we have all held out well.

I shewed his majesty your letter, who taketh very well your care and desire to hear of his health.

So I commit you to God, and rest

Your Lordship's most assured friend

to do you service,

Aukland, the 18th of Apr. 1617.

G. Buckingham.

Since the writing of this letter, I have had some farther speech with his majesty, touching my lord Brackley: and find, that if, in your lordship's information in the course, you write any thing, that may tend to the furthering of the dispatch of it in that kind, he desireth it may be done.

To the Lord Keeper. (*a*.)

My honourable Lord,

I SEND your lordship the warrant for the queen (*b*) signed by his majesty, to whom I have likewise de-

(*a*) Harlm. MSS. Vol. 7006.

(*b*) Relating to her house. See the lord keeper's letter of April 7, 1617, printed in his works.

livered your lordship's letter. And touching the matter of the pirates, his majesty cannot yet resolve; but within a day or two your lordship shall see a dispatch, which he purposeth to send to the lords of his council in general, what his opinion and pleasure is in that point.

I would not omit this opportunity to let your lordship know, that his majesty, God be thanked, is in very good health, and so well pleased with his journey, that I never saw him better, nor merrier. So I rest

Your Lordship's ever at command,

From Newcastle, the 23d of Apr. 1617. G. BUCKINGHAM.

Lord Keeper BACON to Mr. MAXEY, Fellow of Trinity College, Cambridge (*a*).

AFTER my hearty commendations, I having heard of you, as a man well deserving, and of able gifts to become profitable in the church; and there being fallen within my gift the rectory of Frome St. Quintin with the chapel of Evershot, in Dorsetshire, which seems to be a thing of good value, 18l. in the king's books, and in a good country, I have thought good to make offer of it to you; the rather for that you are of Trinity college, whereof myself was some time: and my purpose is to make choice of men rather by care and inquiry, than by their own suits and commendatory letters. So I bid you farewell.

From your loving friend,

From Dorset House, 23 April, 1617. FR. BACON, *C. S.*

(*a*) From the collections of the late Robert Stephens, Esq.

The LORD KEEPER to his NIECE, touching her Marriage.

Good Niece,

AMONGST your other virtues, I know there wanteth not in you a mind to hearken to the advice of your friends. And therefore you will give me leave to move you again more seriously than before in the match with Mr. Comptroller (*a*).

The state, wherein you now are, is to be preferred before marriage, or changed for marriage, not simply the one or the other, but according as, by God's providence, the offers of marriage are more or less fit to be embraced. This gentleman is religious, a person of honour, being counsellor of state, a great officer, and in very good favour with his majesty. He is of years and health fit to be comfortable to you, and to free you of burdensome cares. He is of good means, and a wise and provident man, and of a loving and excellent good nature; and, I find, hath set his affections upon you; so as I foresee you may sooner change your mind, which, as you told me, is not yet towards marriage, than find so happy a choice. I hear he is willing to visit you, before his going into France, which, by the king's commandment, is to be within some ten days: and I could wish you used him kindly, and with respect. His return out of France is intended before Michaelmas. God direct you, and be with you. I rest

Your very loving uncle, and assured friend,

Dorset-house,
this 28th of April, 1617.

FR. BACON.

(*a*) Sir Thomas Edmonds, who had been appointed to that office, December 21, 1616; and, January 19, 1617-8, was made treasurer of the houshold. He had been married to Magdalen, one of the daughters and coheirs of Sir John Wood, knight, clerk of the signet: which lady died at Paris, Dec. 31, 1614.

The proposal for a second marriage between him and the lord keeper's niece does not appear to have have had success.

To the Lord KEEPER (*a*).

My honourable Lord,

I UNDERSTAND that Sir Lewis Tresham hath a suit depending in the chancery before your lordship; and therefore out of my love and respect toward him, I have thought fit to recommend him unto your favour so far only, as may stand with justice and equity, which is all he desireth, having to encounter a strong party. And because he is shortly to go into Spain about some other business of his own, I farther desire your lordship to give him what expedition you can, that he may receive no prejudice by his journey.

Your Lordship's ever at command,

Indorsed May 6, 1616. G. BUCKINGHAM.

To the Lord KEEPER (*b*).

My honourable Lord,

I HAVE by reports, heard that, which doth much grieve and trouble me, that your lordship hath, through a pain in one of your legs, been forced to keep your chamber. And being desirous to understand the true estate of your health, which reports do not always bring, I intreat your lordship to favour me with a word or two from yourself, which, I hope, will bring me the comfort I desire, who cannot but be very sensible of whatsoever happeneth to your lordship, as being

Your Lordship's most affectionate

to do you service,

G. BUCKINGHAM.

His majesty, God be thanked, is very well and safely returned from his hunting journey.

From Edinburgh,
the 3d of June, 1617.

(*a*) Harl. MSS. Vol. 7006. (*b*) Ibid.

To the Earl of Buckingham.

My very good Lord,

THIS day I have made even with the business of the kingdom for common justice; not one cause unheard; the lawyers drawn dry of all the motions they were to make; not one petition unanswered. And this, I think, could not be said in our age before. This I speak not out of ostentation, but out of gladness when I have done my duty. I know men think I cannot continue, if I should thus oppress myself with business: but that account is made. The duties of life are more than life; and, if I die now, I shall die before the world will be weary of me, which in our times is somewhat rare. And all this while I have been a little unperfect in my foot. But I have taken pains more like the beast with four legs, than like a man with scarce two legs. But if it be a gout, which I do neither acknowledge, nor much disclaim, it is a good-natured gout; for I have no rage of it, and it goeth away quickly. I have hope it is but an accident of changing from a field-air (*a*) to a Thames-air (*b*); or rather, I think, it is the distance of the king and your lordship from me, that doth congeal my humours and spirits.

When I had written this letter, I received your lordship's letter of the third of this present, wherein your lordship sheweth your solicitous care of my health, which did wonderfully comfort me. And it is true, that at this present I am very well, and my supposed gout quite vanished.

I humbly pray you to commend my service, infinite in desire, howsoever limited in ability, to his majesty, to hear of whose health and good disposition is

(*a*) Gray's Inn.

(*b*) Dorset-house, originally belonging to the bishops of Salisbury, afterwards the house of Sir Richard Sackville, and then of his son Sir Thomas, earl of Dorset, and Lord Treasurer.

to me the greatest beatitude, which I can receive in this world. And I humbly beseech his majesty to pardon me, that I do not now send him my account of council business, and other his royal commands, till within these four days; because the flood of business of justice did hitherto wholly possess me; which, I know, worketh this effect, as it contenteth his subjects, and knitteth their hearts more and more to his majesty, though, I must confess, my mind is upon other matters, as his majesty shall know, by the grace of God, at his return. God ever bless and prosper you.

Your Lordship's true and most devoted friend and servant,

FR. BACON.

Whitehall, this 8th of June, 1617.

To the Lord KEEPER (*a*).

My honourable Lord,

YOUR lordship will understand, by Sir Thomas Lake's letter, his majesty's directions touching the surveyor's deputy of the court of wards. And though I assure myself of your lordship's care of the business, which his majesty maketh his own; yet my respect to Sir Robert Naunton (*b*) maketh me add my recommendation thereof to your lordship, whom I desire to give all the furtherance and assistance you can to the business, that no prejudice or imputation may light upon Sir Robert Naunton, through his zealous affection to attend his majesty in this journey.

I will not omit to let you know, that his majesty is very well, and receiveth much contentment in his journey. And with this conclusion, I rest

Your Lorship's most affectionate to do you service,

G. BUCKINGHAM.

Edinburgh, the 11th of June, 1617.

(*a*) Harl. MSS. Vol. 7006. (*b*) Surveyor of the court of wards.

To the Lord Viscount FENTON (*a*).

My very good Lord,

I THANK your lordship for your courteous letter: and if I were asked the question, I would always chuse rather to have a letter of no news, than a letter of news; for news imports alteration: but letters of kindness and respect bring that, which, though it be no news amongst friends, is more welcome.

I am exceediugly glad to hear, that this journey of his majesty, which I never esteemed more than a long progress, save that it had reason of state joined with pleasure, doth sort to be so joyful and so comfortable.

For your parliament, God speed it well; and for ours, you know the sea would be calm, if it were not for the winds; and I hope the king, whensoever that shall be, will find those winds reasonably well laid.

Now that the sun is got up a little higher, God ordains all things to the happiness of his majesty, and his monarchy.

My health, I thank God, is good: and I hope this supposed gout was but an incomer. I ever rest

Your Lordship's affectionate
and assured friend,

Whitehall, June 18 [1617.]

FR. BACON.

To the Lord KEEPER, written from Scotland, June 28, 1618 (*b*).

I WILL begin to speak of the business of this day; *opus hujus diei in die suo*, which is of the parliament. It began on the 7th of this month, and

(*a*) Sir Thomas Erskine, who for his service to the king, in the attempt of the earl of Gowry, was, upon his majesty's accession to the throne of England, made captain of his guard in the room of Sir Walter Raleigh. He was afterwards created earl of Kelly.

(*b*) From a copy in the Paper-office.

ended this day, being the 28th of June. His majesty, as I perceived by relation, rode thither in great state the first day. These eyes are witnesses, that he rode in an honourable fashion, as I have seen him in England, this day. All the lords rode in English robes: not an English lord on horseback, though all the parliament-house at his majesty's elbow, but my lord of Buckingham, who waited upon the king's stirrup in his collar, but not in his robes. His majesty the first day, by way of preparation to the subject of the parliament, made a declaratory speech, wherein he expressed himself what he would not do, but what he would do. The relation is too prolix for a sheet of paper; and I am promised a copy of it, which I will bring myself unto your lordship with all the speed I may. But I may not be so reserved, as not to tell your lordship, that in that speech his majesty was pleased to do England and Englishmen much honour and grace; and that he studied nothing so much, sleeping and waking, as to reduce the barbarity, I have warrant to use the king's own word, of this country unto the sweet civility of ours; adding farther, that if the Scotish nation would be as docible to learn the goodness of England, as they are teachable to limp after their ill, he might with facility prevail in his desire: for they had learned of the English to drink healths, to wear coaches and gay cloaths, to take tobacco, and to speak neither Scotish nor English. Many such diseases of the times his majesty was pleased to enumerate, not fit for my pen to remember, and graciously to recognize, how much he was beholden to the English nation for their love and conformity to his desires. The king did personally and infallibly sit amongst them of the parliament every day; so that there fell not a word amongst them, but his majesty was of council with it.

The whole assembly, after the wonted manner, was abstracted into eight bishops, eight lords, eight gentlemen, knights of the shires, and eight lay burgesses for towns. And this epitome of the whole parliament did meet every day in one room to treat and debate of

the great affairs of the kingdom. There was exception taken against some of the lower house, which were returned by the country, being pointed at as men averse in their appetites and humours to the business of the parliament, who were deposed of their attendance by the king's power; and others, better affected, by the king's election, placed in their room.

The greatest and weightiest articles, agitated in this parliament, were specially touching the government of the kirk and kirkmen, and for the abolishing of hereditary sheriffs to an annual charge; and to enable justices of the peace to have as well the real execution, as the title of their places. For now the sheriff doth hold *jura regalia* in his circuit without check or controlment; and the justices of the peace do want the staff of their authority. For the church and commonwealth, his majesty doth strive to shape the frame of this kingdom to the method and degrees of the government of England, as by reading of the several acts it may appear. The king's desire and travail herein, though he did suffer a momentary opposition (for his countrymen will speak boldly to him,) hath in part been profitable. For though he hath not fully and complementally prevailed in all things, yet he hath won ground in most things, and hath gained acts of parliament to authorize particular commissioners, to set down orders for the church and churchmen, and to treat with sheriffs for their offices by way of pecuniary composition. But all these proceedings are to have an inseparable reference to his majesty. If any prove unreasonably and undutifully refractory, his majesty hath declared himself, that he will proceed against him by the warrant of the law, and by the strength of his royal power.

His majesty's speech this day had a necessary connexion with his former discourse. He was pleased to declare what was done and determined in the progress of this parliament; his reasons for it; and that nothing was gotten by shouldering or wrestling, but by debate, judgment, and reason, without any inter-

position of his royal power in any thing. He commanded the lords in state of judicatute, to give life, by a careful execution, unto the law, which otherwise was but *mortuum cadaver et bona peritura.*

Thus much touching the legal part of my advertisement unto you. I will give your lordship an account in two lines of the complement of the country, time, and place.

The country affords more profit, and better contentment, than I could ever promise myself, by my reading of it.

The king was never more chearful in body and mind, never so well pleased: and so are the English of all conditions.

The entertainment very honourable, very general, and very full: every day feasts and invitations. I know not who paid for it. They strive, by direction, to give us all fair contentment, that we may know, that the country is not so contemptible, but that it is worth the cherishing.

The lord provost of this town, who in English is the mayor, did feast the king and all the lords this week; and another day all the gentlemen. And, I confess, it was performed with state, with abundance, and with a general content.

There is a general, and a bold expectation, that Mr. John Murray shall be created a baron of this country; and some do chat, that my lord of Buckingham's Mr. Wray shall be a groom of the bed-chamber in his place.

There hath been yet no creation of lords, since his majesty did touch Scotland: but of knights many, yet not so many as we heard in England; but it is thought all the pensioners will be knights to-morrow. Neither are there any more English lords sworn of the privy council here, save my lord of Buckingham.

The earl of Southampton, Montgomery, and Hay, are already gone for England.

I have made good profit of my journey hither; for I have gotten a transcript of the speech, which your lordship did deliver at your first and happy sitting in

chancery; which I could not gain in England. It hath been shewed to the king, and received due approbation. The God of heaven, all-wise and all-sufficient, guard and assist your lordship in all your actions: for I can read here whatsoever your lordship doth act there; and your courses be such, as you need not to fear to give copies of them. But the king's ears be wide and long, and he seeth with many eyes. All this works for your honour and comfort. I pray God nothing be soiled, heated, or cooled in the carriage. Envy sometimes attends virtues, and not for good; and these bore certain proprieties and circumstances inherent to your lordship's mind; which men may admire, I cannot express. But I will wade no farther herein, lest I should seem eloquent. I have been too saucy with your lordship, and held you too long with my idleness. He that takes time from your lordship, robs the public. God give your body health, and your soul heaven.

My lord of Pembroke, my lord of Arundel, my lord Zouch, and Mr. Secretary Lake, were new sworn of the council here.

To the Earl of Buckingham.

My very good Lord,

I HAVE sent inclosed a letter to his majesty concerning the strangers; in which business I had formerly written to your lordship a joint letter with my lord of Canterbury, and my lord Privy Seal (*a*), and Mr. Secretary Winwood.

I am, I thank God, much relieved with my being in the country-air, and the order I keep; so that of late years I have not found my health better.

Your lordship writeth seldomer than you were wont; but when you are once gotten into England, you will be more at leisure. God bless and prosper you.

Your Lordship's true and devoted
friend and servant,

Gorhambury, July 29, 1617.

Fr. Bacon.

(*a*) Edward earl of Worcester.

To the Lord KEEPER (*a*).

My honourable Lord,

I HAVE acquainted his majesty with your letter, who in this business of Sir John Bennet's (*b*), hath altogether followed your lordship's direction.

His majesty hath at length been pleased to dispatch Mr. Lowder (*c*), according to your lordship's desire, for the place in Ireland. What the cause of the stay was, I shall impart to your lordship, when I see you, being now too long to relate.

His majesty hath not yet had leisure to read the little book you sent me to present unto him; but, as soon as I see the fittest opportunity, I will offer it to him again.

His majesty, God be thanked, is very well; and I am exceeding glad to hear of your health, that you are of so good term-proof, which is the best of it, being you are in those businesses put most to the trial, which I wish may long continue in that strength, that you may still do his majesty and your country that good service, whereof we hear so general approbation, that it much rejoiceth me, who rest

Your Lordship's ever at command,

Falkland, the 5th of July, 1617.

G. BUCKINGHAM.

(*a*) Harl. MSS. Vol. 7006.

(*b*) Of Godstow in Oxfordshire, who was sent to Brussels to the archduke, to expostulate with him concerning a libel on the king, imputed to Erycius Puteanus, and intitled, *Isaaci Casauboni Corona Regia.*

(*c*) He had been solicitor to the queen; but finding her dislike of him, he was willing to part with his place for that of one of the barons of the exchequer in Ireland; for which he was recommended by the lord keeper to the earl of Buckingham, in a letter dated at Whitehall, May 25, 1617.

To the KING (*a*).

May it please your most excellent Majesty,

I DO very much thank your majesty for your letter, and think myself much honoured by it. For though it contain some matter of dislike, in which respect it hath grieved me more than any event, which hath fallen out in my life; yet because I know reprehensions from the best masters to the best servants are necessary; and that no chastisement is pleasant for the time, but yet worketh good effects; and for that I find intermixed some passages of trust and grace; and find also in myself inwardly sincerity of intention, and conformity of will, howsoever I may have erred; I do not a little comfort myself, resting upon your majesty's accustomed favour; and most humbly desiring, that any one of my particular notions may be expounded by the constant and direct course, which, your majesty knoweth, I have ever held in your service.

And because it hath pleased your majesty, of your singular grace and favour, to write fully and freely unto me; it is duty and decorum in me not to write shortly to your majesty again, but with some length; not so much by way of defence or answer, which yet, I know, your majesty would always graciously admit; as to shew, that I have, as I ought, weighed every word of your majesty's letter.

First, I do acknowledge, that this match of Sir John Villiers is *magnum in parvo* in both senses, that your majesty speaketh. But your majesty perceiveth well, that I took it to be in a farther degree, *majus in parvo*, in respect of your service. But since your majesty biddeth me to confide upon your act of empire, I have done. For, as the Scripture saith, *to God all*

(*a*) This letter appears, from the indorsement of the king's answer to it, to have been written at Gorhambury, July 25, 1617. That printed with this date in his *Works*, should be August 2, 1617, as I find by the original draught of it.

things are possible; so certainly to wise kings much is possible. But for that second sense, that your majesty speaketh of, *magnum in parvo,* in respect of the stir; albeit it being but a most lawful and ordinary thing, I most humbly pray your majesty to pardon me, if I signify to you, that we here take the loud and vocal, and as I may call it, streperous carriage to have been far more on the other side, which indeed is inconvenient rather than the thing itself.

Now for the manner of my affection to my lord of Buckingham, for whom I would spend my life, and that which is to me more, the cares of my life; I must humbly confess, that it was in this a little parent-like, this being no other term, than his lordship hath heretofore vouchsafed to my counsels; but in truth, and it please your majesty, without any grain of disesteem for his lordship's discretion. For I know him to be naturally a wise man, of a sound and staid wit, as I ever said unto your majesty. And again, I know he hath the best tutor in Europe. But yet I was afraid, that the height of his fortune might make him too secure; and as the proverb is, a looker-on sometimes seeth more than a gamester.

For the particular part of a true friend, which your majesty witnesseth, that the earl hath lately performed towards me, in palliating some errors of mine; it is no new thing with me to be more and more bound to his lordship; and I am most humbly to thank, whatsoever it was, both your majesty and him; knowing well, that I may, and do commit many errors, and must depend upon your majesty's gracious countenance and favour for them, and shall have need of such a friend near your majesty. For I am not so ignorant of mine own case, but that I know I am come in with as strong an envy of some particulars, as with the love of the general.

For my opposition to this business, which, it seemeth, hath been informed your majesty, I think it was meant, if it be not a thing merely feigned, and without truth or ground, of one of these two things; for I will dissemble nothing with your majesty. It is

true, that in those matters, which, by your majesty's commandment and reference, came before the table concerning Sir Edward Coke, I was sometimes sharp, it may be too much; but it was with end to have your majesty's will performed; or else, when me thought he was more peremptory than became him, in respect of the honour of the table. It is true also, that I disliked the riot or violence, whereof we of your council gave your majesty advertisement by our joint letter: and I disliked it the more, because he justified it to be law; which was his old song. But in that act of council, which was made thereupon, I did not see but all my lords were as forward as myself, as a thing most necessary for preservation of your peace, which had been so carefully and firmly kept in your absence. And all this had a fair end, in a reconcilement made by Mr. Attorney (*b*), whereby both husband and wife and child should have kept together. Which, if it had continued, I am persuaded the match had been in better and fairer forwardness, than now it is.

Now for the times of things, I beseech your majesty to understand that which my lord of Buckingham will witness with me, that I never had any word of letter from his lordship of the business, till I wrote my letter of advice; nor again, after my letter of advice, till five weeks after, which was now within this sennight. So that although I did in truth presume, that the earl would do nothing without your majesty's privity; yet I was in some doubt, by this his silence of his own mind, that he was not earnest in it, but only was content to embrace the officious offers and endeavours of others.

But, to conclude this point, after I had received, by a former letter of his lordship, knowledge of his mind, I think Sir Edward Coke himself, the last time he was before the lords, might particularly perceive an alteration in my carriage. And now that your majesty hath been pleased to open yourself to me, I

(*b*) Sir Henry Yelverton.

shall be willing to further the match by any thing, that shall be desired of me, or that is in my power.

And whereas your majesty conceiveth some dregs of spleen in me by the word *Mr. Bacon;* truly it was but to express in thankfulness the comparative of my fortune unto your majesty, the author of the latter, to shew how little I needed to fear, while I had your favour. For, I thank God, I was never vindictive nor implacable.

As for my opinion of prejudice to your majesty's service, as I touched it before, I have done; I do humbly acquiesce in your majesty's satisfaction, and rely upon your majesty's judgment, who unto judgment have also power, so to mingle the elements, as many conserve the fabric.

For the interest, which I have in the mother, I do not doubt but it was increased by this, that I in judgment, as I then stood, affected that which she did in passion. But I think the chief obligation was, that I stood so firmly to her in the matter of her assurance, wherein I supposed I did your majesty service, and mentioned it in a memorial of council-business, as half craving thanks for it. And sure I am now, that, and the like, hath made Sir Edward Coke a convert, as I did write to your majesty in my last.

For the collation of the two spirits, I shall easily subscribe to your majesty's answer; for Solomon were no true man, if in matter of malice the woman should not be the superior.

To conclude, I have gone through, with the plainness of truth, the parts of your majesty's letter: very humbly craving pardon for troubling your majesty so long; and most humbly praying your majesty to continue me in your grace and favour, which is the fruit of my life upon the root of a good conscience. And although time in this business have cast me upon a particular, which, I confess, may have probable shew of passion or interest; yet God is my witness, that the thing, that most moved me, was an anxious and solicitous care of your majesty's state and ser-

vice, out of consideration of the time past and present.

God ever preserve and bless your majesty, and send you a joyful return after your prosperous journey.

The KING to the LORD KEEPER, in answer to his Lordship's letter from Gorhambury, of July 25, 1617.

JAMES R.

RIGHT trusty and well beloved counsellor, we greet you well.

Although our approach doth now begin to be near London, and that there doth not appear any great necessity of answering your last letter, since we are so shortly to be at home; yet we have thought good to make some observations to you upon the same, that you may not err, by mistaking our meaning.

The first observation we are to make is, that, whereas you would invert the second sense, wherein we took your *magnum in parvo*, in accounting it to be made *magnum* by their streperous carriage, that were for the match, we cannot but shew you your mistaking therein. For every wrong must be judged by the first violent and wrongous ground, whereupon it proceeds. And was not the thefteous stealing away of the daughter from her own father (*a*) the first ground, whereupon all this great noise hath since proceeded? For the ground of her getting again came upon a lawful and ordinary warrant, sub-

(*a*) Lady Hatton had first removed her daughter to Sir Edmund Withipole's house, near Oatlands, without the knowledge of Sir Edward Coke; and from thence, according to a letter of Mr. Chamberlain, dated July 19, 1617, the young lady was privately conveyed to a house of the lord of Argyle's by Hampton-Court. "Whence," *adds Mr. Chamberlain*, "her father, with a warrant from Mr. Secre-" tary [Winwood] fetched her: but indeed went farther than his " warrrant, and brake open divers doors before he got her."

scribed by one of our council (*b*), for redress of the former violence: and except the father of a child might be proved to be either lunatic, or idiot, we never read in any law, that either it could be lawful for any creature to steal his child from him; or that it was a matter of noise and streperous carriage for him to hunt for the recovery of his child again.

Our next observation is, that whereas you protest your affection to Buckingham, and thereafter confess, that it is in some sort *parent-like;* yet, after that you have praised his natural parts, we will not say, that you throw all down by a direct imputation upon him; but we are sure you do not deny to have had a greater jealousy of his discretion, than, so far as we conceive, he ever deserved at your or any man's hands. For you say, that you were afraid, that the height of his fortune might make him too secure; and so, as a looker-on, you might sometime see more than a gamester. Now we know not how to interpret this in plain English otherwise, than that you were afraid, that the height of his fortune might make him misknow himself. And surely if that be your *parent-like affection* toward him, he hath no obligation to you for it. And, for our part, besides our own proof, that we find him farthest from that vice of any courtier, that ever we

(*b*) Secretary Winwood, who, as Mr. Chamberlain observes in the letter cited in the note above, was treated with ill language at the council-board by the lord keeper, and threatened with a *præmunire*, on account of his warrant granted to Sir Edward Coke. His lordship, at the same time, told the lady Compton, mother of the earl of Buckingham, that they wished well to her and her sons, and would be ready to serve the earl with all true affection; whereas others did it out of *faction* and *ambition*. Which words glancing directly at secretary Winwood, he alleged, that what he had done was by the direction of the queen and the other parties, and shewed a letter of approbation of all his courses from the king, making the whole table judge what *faction* or *ambition* appeared in his carriage: to which no answer was returned. The queen, some time after, taking notice of the disgust, which the lord keeper had conceived against secretary Winwood, and asking his lordship, what occasion the secretary had given him to oppose himself so violently against him, his lordship, answered, "Madam, I can say "no more but he is proud, and I am proud." MS. letter of Mr. Chamberlain, October 11, 1617.

had so near about us; so do we fear, that you shall prove the only phenix in that jealousy of all the kingdom. For we would be very sorry, that the world should apprehend that conceit of him. But we cannot conceal, that we think it was least your part of any to enter into that jealousy of him, of whom we have heard you oft speak in a contrary style. And as for that error of yours, which he lately palliated, whereof you seem to pretend ignorance; the time is so short since you commended to him one (*c*) to be of the barons of our exchequer in Ireland, as we cannot think you to be so short of memory, as to have forgotten how far you undertook in that business, before acquainting us with it; what a long journey you made the poor man undertake, together with the slight recommendation you sent of him; which drave us to those straits, that both the poor man had been undone, and your credit a little blasted, if Buckingham had not, by his importunity, made us both grant you more than suit, for you had already acted a part of it, and likewise run a hazard of the hindrance of your own service, by preferring a person to so important a place, whom you so slightly recommended.

Our third observation is upon the point of your opposition to this business, wherein you either do, or at least would seem to, mistake us a little. For first, whereas you excuse yourself of the oppositions you made against Sir Edward Coke at the council-table, both for that, and other causes; we never took upon us such a patrociny of Sir Edward Coke, as if he were a man not to be meddled withal in any case. For whatsoever you did against him, by our employment and commendation, we ever allowed it, and still do, for good service on your part. *De bonis operibus non lapidamus vos.* But whereas you talk of the riot and violence committed by him, we wonder you make no mention of the riot and violence of them,

(*c*) Mr. Lowder. See the letter of the earl of Buckingham of the 5th of July.

that stole away his daughter, which was the first ground of all that noise, as we said before. For a man may be compelled by manifest wrong beyond his patience; and the first breach of that quietness, which hath ever been kept since the beginning of our journey, was made by them that committed the theft. And for your laying the burden of your opposition upon the council, we meddle not with that question; but the opposition, which we justly find fault with you, was the refusal to sign a warrant for the father to the recovery of his child, clad with those circumstances, as is reported, of your slight carriage to Buckingham's mother, when she repaired to you upon so reasonable an errand. What farther opposition you made in that business, we leave it to the due trial in the own time. But whereas you would distinguish of times, pretending ignorance either of our meaning or his, when you made your opposition; that would have served for a reasonable excuse not to have furthered such a business, till you had been first employed in it: but that can serve for no excuse of crossing any thing, that so nearly concerned one, whom you profess such friendship unto. We will not speak of obligation; for surely we think, even in good manners, you had reason not to have crossed any thing, wherein you had heard his name used, till you had heard from him. For if you had willingly given your consent and hand to the recovery of the young gentlewoman; and then written both to us and to him what inconvenience appeared to you to be in such a match; that had been the part indeed of a true servant to us, and a true friend to him. But first to make an opposition; and then to give advice by way of friendship, is to make the plow go before the horse.

Thus leaving all the particulars of your carriage, in this business, to the own proper time, which is ever the discoverer of truth, we commend you to God. Given under our signet at Nantwich, in the fifteenth year of our reign of Great Britain, &c.

To the Lord Keeper Bacon (*a*).

My Lord,

IF your man had been addressed only to me, I should have been careful to have procured him a more speedy dispatch: but now you have found another way of address, I am excused; and since you are grown weary of employing me, I can be no otherwise in being employed. In this business of my brother's, that you overtrouble yourself with, I understand from London by some of my friends, that you have carried yourself with much scorn and neglect both toward myself and friends; which, if it prove true, I blame not you, but myself, who was ever

Your Lordship's assured friend,

[July, 1617.] G. Buckingham.

To the Lord Keeper.

My Lord,

I HAVE received your lordship's letter by your man; but having so lately imparted my mind to you in my former letters, I refer your lordship to those letters, without making a needless repetition, and rest

Your Lordship's at command,

Ashton, the 25th of Aug. 1617. G. Buckingham.

To my honourable lord, Sir Francis Bacon, knight, lord keeper of the great seal of England.

Sir Henry Yelverton, Attorney General, to the Lord Keeper Bacon.

My most worthy and honourable Lord,

I DARE not think my journey lost, because I have with joy seen the face of my master, the king, though more clouded towards me than I looked for.

(*a*) From the collections of Robert Stephens, Esq. deceased.

Sir Edward Coke hath not forborne, by any engine, to heave at your honour, and at myself; and he works by the weightiest instrument, the earl of Buckingham, who, as I see, sets him as close to him as his shirt, the earl speaking in Sir Edward's praise, and, as it were, menacing in his spirit.

My lord, I emboldened myself to essay the temper of my lord of Buckingham to myself, and found it very fervent, misled by information, which yet I find he embraced as truth, and did nobly and plainly tell me, he would not secretly bite; but whosoever had any interest, or tasted of the opposition to his brother's marriage, he would as openly oppose them to their faces, and they should discern what favour he had, by the power he would use.

In the passage between him and me, I stood with much confidence upon these grounds.

First, that neither your lordship, nor myself had any way opposed, but many ways had furthered, the fair passage to the marriage.

Secondly, that we only wished the manner of Sir Edward's proceedings to have been more temperate, and more nearly resembling the earl's sweet disposition.

Thirdly, that the chiefest check in this business was Sir Edward himself, who listened to no advice, who was so transported with passion, as he purposely declined the even way, which your lordship and the rest of the lords left both him, his lady, and his daughter, in.

Fourthly, I was bold to stand upon my ground; and so I said I knew your lordship would, that these were slanders, which were brought him of us both, and that it stood not with his honour to give credit to them.

After I had passed these straits with the earl, leaving him leaning still to the first relation of envious and odious adversaries, I adventured to approach his majesty, who graciously gave me his hand to kiss, but intermixed withal that I deserved not that favour, if three or four things were true, which he had to object

against me. I was bold to crave his princely justice; first, to hear, then to judge; which he graciously granted, and said, he wished I could clear myself. I answered I would not appeal to his mercy in any of the points, but would endure the severest censure, if any of them were true. Whereupon he said, he would reserve his judgment till he heard me; which could not be then, his other occasions pressed him so much. All this was in the hearing of the earl; and I protest, I think the confidence in my innocency made me depart half justified; for I likewise kissed his majesty's hand at his departure; and though out of his grace he commanded my attendance to Warwick, yet upon my suit he easily inclined to give me the choice, to wait on him at Windsor, or at London.

Now, my lord, give me leave, out of all my affections, that shall ever serve you, to intimate touching yourself:

1. That every courtier is acquainted, that the earl professeth openly against you, as forgetful of his kindness, and unfaithful to him in your love, and in your actions.

2. That he returneth the shame upon himself, in not listening to counsel, that dissuaded his affection from you, and not to mount you so high, not forbearing in open speech, as divers have told me, and this bearer, your gentleman, hath heard also, to tax you, as if it were an inveterate custom with you, to be unfaithful to him, as you were to the earls of Essex and Somerset.

3. That it is too common in every man's mouth in court, that your greatness shall be abated; and as your tongue hath been as a razor to some, so shall theirs be to you.

4. That there are laid up for you, to make your burden the more grievous, many petitions to his majesty against you.

My lord, Sir Edward Coke, as if he were already upon his wings, triumphs exceedingly; hath much private conference with his majesty; and in public doth offer himself, and thrust upon the king, with as great boldness of speech, as heretofore.

It is thought, and much feared, that at Woodstock he will again be recalled to the council-table; for neither are the earl's ears, nor his thoughts, ever off him.

Sir Edward Coke, with much audacity, affirmeth his daughter to be most deeply in love with Sir John Villiers; that the contract pretended with the earl of Oxford is counterfeit: and the letter also, that is pretended to have come from the earl.

My noble lord, if I were worthy, being the meanest of all to interpose my weakness, I would humbly desire,

1. That your lordship fail not to be with his majesty at Woodstock. The sight of you will fright some.

2. That you single not yourself from other lords; but justify the proceedings as all your joint acts; and I little fear but you pass conqueror.

3. That you retort the clamour and noise in this business upon Sir Edward Coke, by the violence of his carriage.

4. That you seem not dismayed, but open yourself bravely and confidently, wherein you can excel all subjects; by which means I know you shall amaze some, and daunt others.

I have abused your lordship's patience long; but my duty and affection towards your lordship shall have no end: but I will still wish your honour greater, and rest myself

Your Honour's servant,

Daventry, Sept. 3, 1617. HENRY YELVERTON.

I beseech your lordship burn this letter.

To the right honourable his singular good lordship, the lord keeper of the great seal.

To the Lord KEEPER.

My Lord,

I HAVE received so many letters lately from your lordship, that I cannot answer them severally: but the ground of them all being only this, that your lordship feareth I am so incensed against you, that I will hearken to every information that is made unto me; this one letter may well make answer unto them all. As his majesty is not apt to give ear to any idle report against men of your place; so, for myself, I will answer, that it is far from my disposition to take any advantage in that kind. And for your lordship's unkind dealing with me in this matter of my brother's, time will try all. His majesty hath given me commandment to make this answer in his name to your letter to him, that he needeth not to make any other answer to you, than that which in that letter you make to yourself, that you know his majesty to be so judicious, that whatsoever he heareth, he will keep one ear open to you. Which being indeed his own princely disposition, you may be assured of his gracious favour in that kind.

I will not trouble your lordship with any longer discourse at this time, being to meet you so shortly, where will be better trial of all that hath passed, than can be made by letters. So I rest

Your Lordship's at command,

Warwick, Sept. 5, [1617.] G. BUCKINGHAM.

To the right honourable Sir Francis Bacon, knight, lord keeper of the great seal of England.

Advice to the KING, for reviving the commission of suits.

THAT, which for the present I would have spoken with his majesty about, as a matter wherein time may be precious, being upon the tenderest point of all

others. For though the particular occasion may be despised, and yet nothing ought to be despised in this kind, yet the counsel thereupon I conceive to be most sound and necessary, to avoid future perils.

There is an examination taken within these few days, by Mr. Attorney, concerning one Baynton, or Baynham, for his name is not yet certain, attested by two witnesses, that the said Baynton, without any apparent shew of being overcome with drink, otherwise than so as might make him less wary to keep secrets, said, that he had been lately with the king, to petition him for reward of service; which was denied him. Whereupon it was twice in his mind to have killed his majesty. The man is not yet apprehended, and said by some to be mad, or half mad; which, in my opinion, is not less dangerous; for such men commonly do most mischief; and the manner of his speaking imported no distraction. But the counsel I would out of my care, ground hereupon, is, that his majesty would revive the commission for suits, which hath been now for these three years or more laid down. For it may prevent any the like wicked cogitations, which the devil may put into the mind of a roarer or swaggerer, upon a denial: and besides, it will free his majesty from much importunity, and save his coffers also. For I am sure when I was a commissioner, in three whole years space there passed scarce ten suits that were allowed. And I doubt now, upon his majesty's coming home from this journey, he will be much troubled with petitions and suits; which maketh me think this remedy more seasonable. It is not meant, that suits generally should pass that way, but only such suits as his majesty would be rid on.

Indorsed,

September 21, 1617.

To revive the commission of suits. For the King.

The Earl of BUCKINGHAM to the Lord Keeper, Sir FRANCIS BACON (*a*).

My Lord,

I HAVE made his majesty acquainted with your note concerning that wicked fellow's speeches, which his majesty contemneth, as is usual to his great spirit in these cases. But, notwithstanding, his majesty is pleased, that it shall be exactly tried, whether this foul-mouthed fellow was taken either with drunkenness or madness, when he spake it. And as for your lordship's advice for setting up again the commissioners for suits, his majesty saith, there will be time enough for thinking upon that, at his coming to Hampton Court.

But his majesty's direction, in answer of your letter hath given me occasion to join hereunto a discovery upon the discourse you had with me this day (*b*). For I do freely confess, that your offer of submission unto me, and in writing, if so I would have it, battered so the unkindness, that I had conceived in my heart for your behaviour towards me in my absence, as out of the sparks of my old affection towards you, I went to sound his majesty's intention towards you, specially in any public meeting; where I found, on the one part, his majesty so little satisfied with your late answer unto him, which he counted, for I protest I use his own terms, *confused and childish*, and his rigorous resolution, on the other part, so fixed, that he would put some public exemplary mark upon you; as I protest the sight of his deep-conceived indignation quenched my passion, making me upon the instant change from the person of a party, into a peace-maker; so as I was forced upon my knees to beg of his majesty,

(*a*) This seems to be the letter to which the lord keeper returned an answer, September 22, 1617, printed in his works.

(*b*) At Windsor, according to Sir Antony Weldon, who may perhaps be believed in such a circumstance as this. *See Court and Character of King James I.* p. 122.

that he would put no public act of disgrace upon you. And as, I dare say, no other person would have been patiently heard in this suit by his majesty but myself; so did I, though not without difficulty, obtain thus much, that he would not so far disable you from the merit of your future service, as to put any particular mark of disgrace upon your person. Only thus far his majesty protesteth, that upon the conscience of his office he cannot omit, though laying aside all passion, to give a kindly reprimand, at his first sitting in council, to so many of his counsellors as were then here behind, and were actors in this business, for their ill behaviour in it. Some of the particular errors committed in this business he will name, but without accusing any particular persons by name.

Thus your lordship seeth the fruits of my natural inclination. I protest, all this time past it was no small grief unto me to hear the mouth of so many, upon this occasion, open to load you with innumerable malicious and detracting speeches, as if no music were more pleasing to my ear, than to rail of you; which made me rather regret the ill nature of mankind, that, like dogs, love to set upon them that they see snatched at.

And, to conclude, my lord, you have hereby a fair occasion so to make good hereafter your reputation, by your sincere service to his majesty, as also by your firm and constant kindness to your friends, as I may, your lordship's old friend, participate of the comfort and honour that will thereby come to you. Thus I rest at last,

Your Lordship's faithful friend and servant,

G. B.

The force of your old kindness hath made me set down this in writing unto you, which some, that have deserved ill of me in this action, would be glad to obtain by word of mouth, though they be far enough from it, for aught I yet see. But I beseech your lordship to reserve this secretly to yourself only,

till our meeting at Hampton Court, lest his majesty should be highly offended, for a cause that I know.

Indorsed,

A letter of reconciliation from lord Buckingham, after his majesty's return from Scotland.

To the Earl of Buckingham.

My very good Lord,

IT may please your lordship to let his majesty understand, that I have spoken with all the judges, signifying to them his majesty's pleasure touching the commendams. They all *una voce* did re-affirm, that his majesty's powers, neither the power of the crown, nor the practised power by the archbishop, as well in the commendam *ad recipiendum*, as the commendam *ad retinendum*, are intended to be touched; but that the judgment is buiit upon the particular defects and informalities of this commendam now before them. They received with much comfort, that his majesty took so well at their hands the former stay, and were very well content and desirous, that when judgment is given, there be a faithful report made of the reason thereof.

The accounts of the summer-circuits, as well as that of the lent-circuit, shall be ready against his majesty's coming. They will also be ready with some account of their labours concerning Sir Edward Coke's *Reports:* wherein I told them his majesty's meaning was, not to disgrace the person, but to rectify the work, having in his royal contemplation rather posterity than the present.

The two points touching the peace of the middle shires, I have put to a consult with some selected judges.

The cause of the Egertons I have put off, and shall presently enter into the treaty of accord, according to his majesty's commandment, which is well tasted abroad in respect of his compassion towards those ancient families.

God ever preserve and prosper your lordship, according to the faithful and fervent wishes of

Your Lordship's true friend and devoted servant,

York-house, October 11, 1617. FR. BACON.

To the Earl of BUCKINGHAM.

My very good Lord,

I HAVE reformed the ordinance according to his majesty's corrections, which were very material. And for the first of *phrasis non placet*, I understand his majesty, nay farther, I understand myself, the better for it. I send your lordship therefore six privy seals; for every court will look to have their several warrant. I send also two bills for letters patents to the two reporters: and for the persons, I send also four names, with my commendations of those two, for which I will answer upon my knowledge. The names must be filled in the blanks: and so they are to be returned.

For the business of the court of wards, your lordship's letter found me in the care of it. Therefore, according to his majesty's commandment, by you signified, I have sent a letter for his majesty's signature. And the directions themselves are also to be signed. These are not to be returned to me, lest the secret come out; but to be sent to my lord of Wallingford, as the packets use to be sent.

I do much rejoice to hear of his majesty's health and good disposition. For me, though I am incessantly in business, yet the reintegration of your love maketh me find all things easy.

God preserve and prosper you.

Your Lordship's true friend and devoted servant,

York-house, October 18, 1617. FR. BACON.

To the Lord KEEPER (*a*).

My honourable Lord,

I HAVE delivered the judges advice, touching the middle shires, unto his majesty, who liketh it very well. As for the point of law, his majesty will consider of it at more leisure, and then send you his opinion thereof. And so I rest

Your Lordship's faithful friend and servant,

G. BUCKINGHAM.

Hinchingbroke, the 22d of Oct. 1617.

To the Lord KEEPER (*b*).

My honourable Lord,

HIS majesty hath spent some time with Sir Lionel Cranfield about his own business, wherewith he acquainted his majesty. He hath had some conference with your lordship, upon whose report to his majesty of your zeal and care of his service, which his majesty accepteth very well at your hands, he hath commanded Sir L. Cranfield to attend your Lordship, to signify his farther pleasure for the furtherance of his service; unto whose relation I refer you. His majesty's farther pleasure is, you acquaint no creature living with it, he having resolved to rely upon your care and trust only.

Thus wishing you all happiness, I rest

Your lordship's faithful friend and servant,

October 26, 1617. G. BUCKINGHAM.

(*a*) Harl. MSS. Vol. 7006. (*b*) Ibid.

Sir Francis Englefyld (*a*) to the Lord Keeper.

Right Honourable,

GIVE me leave, I beseech your lordship, for want of other means, by this paper to let your lordship understand, that notwithstanding I rest in no contempt, nor have to my knowledge broken any order made by your lordship concerning the trust, either for the payment of money, or assignment of land; yet, by reason of my close imprisonment, and the unusual carriage of this cause against me, I can get no council, who will in open court deliver my case unto your lordship. I must therefore humbly leave unto your lordship's wisdom, how far your lordship will, upon my adversary's fraudulent bill exhibited by the wife without her husband's privity, extend the most powerful arm of your authority against me, who desire nothing but the honest performance of a trust, which I know not how to leave, if I would. So, nothing doubting but your lordship will do what appertaineth to justice, and the eminent place of equity your lordship holdeth, I must, since I cannot understand from your lordship the cause of my late close restraint, rest, during your lordship's pleasure,

Your Lordship's close prisoner in the Fleet,

October 28, 1617. Fr. Englefyld.

(*a*) This gentleman was very unfortunate in his behaviour, with regard to those, who had the great seal; for in Hilary term of the year 162$\frac{3}{4}$, he was fined 3000*l.* by the Star-Chamber, for casting an imputation of bribery on the lord keeper Williams, bishop of Lincoln. MS. Letter of Mr. Chamberlain to Sir Dudley Carleton, dated at London, 162$\frac{3}{4}$. Sir Francis had been committed to the Fleet for a contempt of a decree in Chancery; upon which he was charged, by Sir John Bennet, with having said before sufficient witness, "that "he could prove this holy bishop judge had been bribed by some, "that fared well in their causes." A few days after the sentence in the Star-Chamber, the lord keeper sent for Sir Francis, and told him, he would refute his foul aspersions, and prove upon him, that he scorned the pelf of the world, or to exact, or make lucre of any man: and that for his own part, he forgave him every penny of his fine, and would crave the same mercy towards him from the king. Bishop Hacket's *Life of Archbishop Williams*, Part I. p. 83, 84.

To the Lord KEEPER (*a*).

My honourable Lord,

I HAVE thought good to renew my motion to your lordship, in the behalf of my lord of Huntingdon, my lord Stanhope, and Sir Thomas Gerard; for that I am more particularly acquainted with their desires; they only seeking the true advancement of the charitable uses, unto which the land, given by their grandfather, was intended; which, as I am informed, was meant by way of a corporation, and by this means, that it might be settled upon the schoolmaster, usher, and poor, and the coheirs to be visitors. The tenants might be conscionably dealt withal; and so it will be out of the power of any feoffees to abuse the trust; which, it hath been lately proved, have been hitherto the hindrance of this good work. These coheirs desire only the honour of their ancestor's gift, and wish the money, misemployed and ordered to be paid into court by Sir John Harper, may rather be bestowed by your lordship's discretion for the augmentation of the foundation of their ancestors, than by the censure of any other. And so I rest

Your Lordship's servant,

Theobalds, November 12. G. BUCKINGHAM.

Indorsed, 1617.

To the Lord KEEPER (*b*).

My honourable Lord,

THOUGH I had resolved to give your lordship no more trouble in matters of controversy depending before you, with what importance soever my letters had been; yet the respect I bear unto this gentleman hath so far forced my resolution, as to recommend unto your lordship the suit, which, I am in-

(*a*) Harl. MSS. Vol. 7006. (*b*) Ibid.

formed by him, is to receive a hearing before you on Monday next, between Barnaby Leigh and Sir Edward Dyer, plaintiffs, and Sir Thomas Thynne (*c*), defendant; wherein I desire your Lordship's favour on the plaintiffs so far only as the justice of their cause shall require. And so I rest

Your Lordship's faithful servant,

Newmarket, the 15th of Nov. G. BUCKINGHAM.

Indorsed, 1617.

To the Lord KEEPER (*d*).

My honourable Lord,

THE certificate being returned upon the commission touching Sir Richard Haughton's alum-mines, I have thought fit to desire your lordship's furtherance in the business, which his majesty, as your lordship will see by his letter, much affecteth as a bargain for his advantage, and for the present relief of Sir Richard Haughton. What favour your lordship shall do him therein, I will not fail to acknowledge, and will ever rest

Your Lordship's faithful servant,

G. BUCKINGHAM.

Indorsed,

Received November 16th, 1617.

(*c*) Eldest son of Sir John Thynne, knight, who died November 21, 1604. This Sir Thomas's younger son by his first wife, Mary, daughter of George, lord Audley, was father of Thomas Thynne, Esq. assassinated by the followers of Count Coningsmark, February 12, 1682-3.

(*d*) Harl. MSS. Vol. 7006.

To the Lord KEEPER (*a*).

My honourable Lord,

I HAVE acquainted his majesty with your lordship's letter, who liketh well of the judges opinion you sent unto him, and hath pricked the sheriff of Buckinghamshire in the roll you sent, which I return signed unto your lordship.

His majesty takes very well the pains you have taken in sending to Sir Lionel Cranfield; and desireth you to send to him again, and to quicken him in the business.

Your Lordship's faithful friend and servant,

G. BUCKINGHAM.

His majesty liketh well the course taken about his houshold, wherewith he would have your lordship, and the rest of his council, to go forward.

Newmarket, the 17th of November, 1617.

Indorsed,

My lord of Buckingham shewing his majesty's approbation of the courses held touching the houshold.

To the Lord KEEPER. (*b*).

My honourable Lord,

UNDERSTANDING, that Thomas Hukeley, a merchant of London, of whom I have heard a good report, intendeth to bring before your lordship in chancery a cause depending between him, in right of his wife, daughter of William Austen, and one John Horsmendon, who married another daughter of the said Austen; I have thought fit to desire your lordship to give the said Thomas Hukeley a favourable

(*a*) Harl. MSS. Vol. 7006. (*b*) Ibid.

hearing when his cause shall come before you; and so far to respect him for my sake, as your lordship shall see him grounded upon equity and reason; which is no more than, I assure myself, your lordship will grant readily, as it is desired by

Your Lordship's faithful friend and servant,

Indorsed, November 17, 1617. G. BUCKINGHAM.

To the Earl of BUCKINGHAM (*a*).

My very good Lord,

THE last letter of my lords, whereof the conclusion indeed is a little *blunt*, as the king calleth it, was concluded in my absence, which hath been but once since I came to this town; and brought me by the clerk of the council, as I sat in chancery. Whereupon I retired to a little closet I have there, and signed it, not thinking fit to sever.

For my opinion, I dispatched it the morrow following. And till Sir Lionel Cranfield (*b*) be able to execute his part in the sub-commission, it will, in my opinion, not be so fit to direct it. He crept to me yesternight, but he is not well. I did his majesty's message to him touching the tobacco; and he said he would give his majesty very real and solid satisfaction touching the same.

This is all for the present I shall trouble your lordship withal, resting ever

Your Lordship's true friend and devoted servant,

November 20, 1617. FR. BACON.

(*a*) In answer to his lordship's letter from Newmarket, November 19, 1617, printed in lord Bacon's works.

(*b*) He was originally a merchant in the city of London, introduced to the king's knowledge by the earl of Northampton, and into his service by the earl of Buckingham, being the great projector for reforming the king's houshold, advancing the customs, and other services; for which he was made lord Treasurer, baron Cranfield, and earl of Middlesex; but being accused by the House of Commons for misdemeanors in his office, he had a severe sentence passed upon him by the lords, in 1624.

To the Lord KEEPER (*a*).

My honourable Lord,

HIS majesty liketh very well of the draught your lordship sent of the letter for the sub-commission, and hath signed it, as it was, without any alteration, and sent it to the lords. Which is all I have to write at this time, but that I ever rest

Your Lordship's faithful friend and servant,

Newmarket, the 2d of Decemb. 1617. G. BUCKINGHAM.

To the Lord KEEPER (*b*).

My honourable Lord,

HIS majesty hath been pleased to refer a petition of one Sir Thomas Blackstones, to your lordship, who being brother-in-law to a gentleman, whom I much respect, Sir Henry Constable, I have, at his request, yielded to recommend his business so far to your lordship's favour, as you shall find his case to deserve compassion, and may stand with the rules of equity. And so I rest

Your Lordship's faithful friend and servant,

Newmarket, the 4th of December. G. BUCKINGHAM.
Indorsed, 1617.

To the Earl of BUCKINGHAM.

My very good Lord,

YOUR lordship may marvel, that together with the letter from the board, which you see passed so well, there came no particular letter from myself; wherein, though it be true, that now this very evening

(*a*) Harl. MSS. Vol. 7006. (*b*) Ibid.

I have made even with the causes of chancery, and comparing with the causes heard by lord (*a*), that dead is, of Michaelmas-term was twelve-month, I find them to be double so many and one more; besides that the causes that I dispatch do seldom turn upon me again, as his many times did; yet nevertheless I do assure your lordship, that should have been no excuse to me, who shall ever assign both to the causes of the subject, yea, and to my health, but the leavings of times after his majesty's business done. But the truth is, I could not speak with Sir Lionel Cranfield, with whom of necessity I was to confer about the names, till this afternoon.

First, therefore, I send the names, by his advice, and with mine own good allowance of those, which we wish his majesty should select; wherein I have had respect somewhat to form, more to the avoiding of opposition, but most to the service.

To most important effects his majesty's letter hath wrought already: the one, that we perceive his majesty will go through stitch; which goeth to the root of our disease. The other, that it awaketh the particular officers, and will make their own endeavours and propositions less perfunctory, and more solid and true for the future. Somewhat is to be done presently, and somewhat by seasonable degrees. For the present, my advice is, his majesty would be pleased to write back to the table, that he doth well approve, that we did not put back or retard the good ways we were in of ourselves; and that we understood his majesty's right: that his late direction was to give help, and not hindrance to the former courses; and that he doth expect the propositions we have in hand, when they are finished: and that for the sub-commissions, he hath sent us the names he hath chosen out of those by us sent and propounded; and that he leaveth the particular directions from time to time, in the use of the sub-commissioners, wholly to the table.

This I conceive to be the fairest way; first to seal

(*a*) Chancellor Ellesmere.

the sub-commission without opening the nature of their employments, and without seeming that they should have any immediate dependence upon his majesty, but merely upon the table.

As for that which is to be kept in breast, and to come forth by parts, the degrees are these:

First, to employ the sub-commissioners in the reconsidering of those branches, which the several officers shall propound.

Next, in taking consideration of other branches of retrenchment, besides those which shall be propounded.

The third, to take into consideration the great and huge arrears and debts in every office; whether there be cause to abate them upon deceit or abuse; and at least how to settle them best, both for the king's honour, and avoiding of clamour, and for the taking away, as much as may be, that same ill influence and effect, whereby the arrear past destroys the good husbandry and reformation to come.

The fourth is to proceed from the consideration of the retrenchments and arrears to the improvements.

All these four, at least the last three, I wish not to be stirred in till his majesty's coming.

God ever preserve and prosper you.

Your Lordship's true friend

and devoted servant,

Fr. Bacon.

Your lordship will be pleased to have a little care of the bestowing of this letter.

York-house, this 6th of December, 1617.

To the Lord KEEPER (*a*).

My honourable Lord,

LEST Mr. Secretary (*b*) should be come away before the delivery of this packet, I have thought fit to direct it to your lordship, with this letter to your lordship about the the court of Wards, and another to the lords from his majesty. Which is all I have now to write, but that I ever rest,

Your Lordship's faithful friend and servant,

G. BUCKINGHAM.

Newmarket, the 7th of December, 1617.

To the Lord KEEPER (*c*).

My honourable Lord,

I HAVE acquainted his majesty with your lordship's letter, who hath followed your directions therein, and written to the lords accordingly. Which is all I have now to write to your lordship, but that I shall ever rest

Your Lordship's faithful friend and servant,

G. BUCKINGHAM.

Newmarket, the 9th day of December, 1617.

Indorsed,

My lord of Buckingham to your lordship, shewing the king's liking of your opinion and choice of names for sub-commission.

(*a*) Harl. MSS. Vol. 7006.

(*b*) Sir Thomas Lake. His colleague, secretary Winwood, died October 27, 1617; and Sir Robert Naunton succeeded to the post of secretary, January 8, 161⅞, from that of surveyor of the Court of Wards.

(*c*) Harl. MSS. Vol. 7006.

To the Earl of Buckingham,

My very good Lord,

YOUR lordship's letters patents (*a*) are ready. I would be glad to be one of the witnesses at the delivery; and therefore, if the king and your lordship will give me leave, I will bring it to-morrow at any hour shall be appointed.

Your Lordship's ever,

New-Year's eve, 1617.

Fr. Bacon.

I was bold to send your lordship, for your new-year's gift, a plain cap of essay, in token, that if your lordship in any thing shall make me your sayman, I will be hurt before your lordship shall be hurt. I present therefore to you my best service, which shall be my All-Year's gift.

To the Earl of Buckingham.

My very good Lord,

SIR George Chaworth and I am agreed, so that now I shall retain the grace of my place, and yet he rewarded. The king hath no ill bargain; for he hath four times as much as he was offered by Sir George of increase; and yet I take upon me to content my servants, and to content him. Nevertheless, I shall think myself pleasured by his majesty, and do acknowledge, that your lordship hath dealt very honourably and nobly with me.

I send inclosed a letter, whereby your lordship signifieth his majesty's pleasure to me; and I shall

(*a*) For the title of Marquis of Buckingham to himself and the male heirs of his body.

make the warrant to Mr. Attorney. I desire it may be carried in privateness. I ever rest

Your Lordship's true friend,

and devoted servant,

This New-Year's eve, 1617.

FR. BACON.

To Sir JAMES FULLERTON (*a*).

I PRESUME to send his highness this pair of small candlesticks, that his light, and the light of his posterity, upon the church and commonwealth, may never fail. I pray you do me the favour to present it to his highness, with my best and humblest service.

Your most affectionate and assured friend,

FR. BACON, *C. S.*

To the Lord CHANCELLOR (*b*).

My honourable Lord,

I HAVE heretofore recommended unto your lordship the determination of the cause between Sir Rowland Egerton and Edward Egerton (*c*), who, I understand, did both agree, being before your lordship, upon the values of the whole lands. And as your lordship hath already made so good an entrance into

(*a*) He had been surveyor of the lands to prince Charles, when duke of York; and was groom of the stole to him, when king. He died in January, 1630-1.

(*b*) Sir Francis Bacon had that title given him January 4.

(*c*) This was one of the causes mentioned in the charge of the House of Commons against the lord Bacon; in his answer to which, he acknowledged, that some days after perfecting his award, which was done with the advice and consent of the lord chief justice Hobart, and publishing it to the parties, he received 300l. of Mr. Edward Egerton, by whom, soon after his coming to the seal, he had likewise been presented with 400l. in a purse.

the business, I doubt not but you will be as noble in furthering the full agreement between the parties; whereunto, I am informed, Sir Rowland Egerton is very forward, offering on his part that, which to me seemeth very reasonable, either to divide the lands, and his adverse party to choose; or the other to divide, and he to choose. Whereupon my desire to your lordship is, that you would accordingly make a final end between them, in making a division, and setting forth the lands, according to the values agreed upon by the parties themselves. Wherein, besides the charitable work your lordship shall do in making an end of a controversy between those, whom name and blood should tie together, and keep in unity, I will acknowledge your favour as unto myself, and will ever rest,

Your lordship's faithful servant,

Theobalds,
January 9, 1617.

G. Buckingham.

To the Lord Chancellor (*a*).

My honourable Lord,

HIS majesty having given order to Mr. Solicitor (*b*) to acquaint your lordship with a business touching ale-houses (*c*), that upon consideration thereof you might certify your opinion unto his majesty, whether it be fit to be granted or not; I have thought fit to desire

(*a*) Harl. MSS. Vol. 7006.

(*b*) Sir Thomas Coventry.

(*c*) The lord chancellor, in his letter to the marquis of Buckingham, dated January 25, 1617, printed in his works, has the following passage; "For the suit of the *ale-houses*, which concerneth your "brother, Mr. Christopher Villiers, and Mr. Patrick Maule, I have "conferred with my lord chief justice, and Mr. Solicitor thereupon, "and there is a scruple in it, that it should be one of the grievances "put down in parliament; which if it be, I may not, in my duty and "love to you, advise you to deal in it; if it be not, I will mould in "the best manner, and help it forward." A patent for licensing ale-houses being afterwards granted to Sir Giles Mompesson and Sir Francis Mitchel, and greatly abused by them, they were punished for those abuses by the parliament, which met January 30, 1620-1.

your lordship to give it what favour and furtherance you may, if you find it reasonable and not prejudicial to his majesty's service, because it concerneth Mr. Patrick Maule, and my brother, Christopher Villiers, whose benefit I have reason to wish and advance by any just courses. And so I rest

Your Lordship's faithful servant,

Royston, Jan. 11th, 1617.

G. Buckingham.

To the Lord Chancellor (*a*).

My honourable Lord,

SIR John Cotton (*b*) having acquainted me with a petition he intended to exhibit to his majesty, that, without any apparent fault committed by him, he was put from his office of *Custos Rotulorum;* I have persuaded him to forbear the presenting of his petition, until I had written to your lordship, and received your answer. I have therefore thought fit to signify unto your lordship, that he is a gentleman, of whom his majesty maketh good esteem, and hath often occasion to use his service: and therefore, besides that he is a man of good years, and hath served long in the place, I know his majesty, out of these respects, will be loth he should receive any disgrace. I desire therefore to understand from your lordship the reasons of his remove, that, if I cannot give satisfaction to the gentleman himself, I may at least make answer to his majesty for that act of your lordship's, which is alledged to be very unusual, unless upon some precedent misdemeanor of the party. Thus, having in this point discharged my part in taking the best course I

(*a*) Harl. MSS. Vol. 7006.

(*b*) Of Lanwade, in Cambridgeshire, knight. He served many years as knight of the shire for that county, and died in 1620, at the age of seventy-seven. His eldest son, Sir John Cotton, was created a baronet, July 14, 1641.

could, that no complaint should come against you to the king, I rest

Your Lordship's faithful friend,

Newmarket, January 16, 1617. G. Buckingham.

To Sir Henry Yelverton, Attorney General.

Mr. Attorney,

WHEREAS there dependeth before me in chancery a great cause of tithes concerning the benefices of London, though in a particular, yet, by consequence, leading to a general; his majesty, out of a great religious care of the state, both of church and city, is graciously pleased, that before any judicial sentence be pronounced in chancery, there be a commission directed unto me, the lord chancellor, lord treasurer, the lord privy-seal, and the lord chamberlain; and likewise to the lord archbishop, the lord bishop of Winchester (*a*) and the bishop of Ely (*b*), and also to the master of the rolls (*c*), the two lord chief justices (*d*), justice Dodderidge, and justice Hutton, who formerly assisted me in the cause, to treat of some concord in a reasonable moderation between the ministers and the mayor and the commonalty of London in behalf of the citizens; and to make some pact and transaction between them by consent, if it may be; or otherwise to hear and certify their opinions touching the cause, that thereupon his majesty may take such farther order, by directing of a proceeding in chancery, or by some other course, as to his wisdom shall seem fit.

You will have care to draw the commission with some preface of honour to his majesty, and likewise to insert in the beginning of the commission, that it

(*a*) Dr. James Montagu.
(*b*) Dr. Lancelot Andrews.
(*c*) Sir Julius Cæsar.
(*d*) Sir Henry Montagu of the King's Bench, and Sir Henry Hobart of the Common Pleas.

was *de advisamento cancellarii* (as it was indeed) lest it should seem to be taken from the court. So I commit you to God's, &c.

Jan. 19, 1617. FR. BACON, *Canc.*

To the Marquis of BUCKINGHAM.

My very good Lord,

I DO not easily fail towards gentlemen of quality to disgrace them. For I take myself to have some interest in the good wills of the gentlemen of England, which I keep and cherish for his majesty's special service. And for this gentleman, of whom you write, Sir John Cotton, I know no cause in the world, why I should have displaced him, but that it was certified unto me, that it was his own desire to resign: wherein if I was abused, I will restore him. But if he did consent, and, now it is done, changeth his mind, then I would be loth to disgrace the other, that is come in. Therefore I pray your lordship, that I may know and be informed from himself what passed touching his consent; and I will do him reason.

Thus, with my thanks to your lordship, I will ever rest

Your Lordship's true friend

and most devoted servant,

Jan. 20, 1617.

FR. BACON, *Canc.*

Indorsed,

To the Marquis of Buckingham, concerning Sir John Cotton's resigning the place of Custos Rotulorum of Cambridgeshire.

To the Lord CHANCELLOR (*a*).

My honourable Lord,

I THANK your lordship for your favour to Sir George Tipping, in giving liberty unto him to make his appearance before you after the holy-days, at my request; who, as I understand by some friends of mine, who moved me to recommend him to your lordship's favour, is willing to conform himself in performance of the decree made in the chancery by your lordship's predecessor, but that he is persuaded, that presently, upon the performance thereof, his son will make away the land that shall be conveyed unto him: which being come to Sir George from his ancestors, he desireth to preserve to his posterity. I desire your lordship's farther favour therefore unto him, that you will find out some course, how he may be exempted from that fear of the sale of his lands, whereof he is ready to acknowledge a fine to his son, and to his heirs by Anne Pigot; and, they failing, to his son's heirs males, and, for want thereof, to any of his son's or brethren's heirs males, and so to the heirs general of his father and himself, by lineal descent, and the remainder to the crown. This offer, which seemeth very reasonable, and for his majesty's advantage, I desire your lordship to take into your consideration, and to shew him what favour you may for my sake; which I will readily acknowledge, and ever rest

Your Lordship's faithful servant,

Newmarket, Jan. 23, 1617. G. BUCKINGHAM.

To the Lord CHANCELLOR (*b*).

My honourable Lord,

SINCE I received your lordship's letter, Sir Lionel Cranfield being here, hath informed his majesty of the whole proceeding in his business of the household;

(*a*) Harl. MSS. Vol. 7006. (*b*) Ibid.

which his majesty liketh very well, and is glad it is approved by your lordship, of whose care and pains therein he receiveth very good satisfaction.

In the business touching Sir John Cotton, your lordship dealeth as nobly as can be desired; and so, if it should come in question before his majesty, I would answer in your behalf. I leave Sir John Cotton to inform your lordship, by his letter of the business, and ever rest

Your Lordship's faithful servant,

Newmarket, Jan. 24, 1617. G. BUCKINGHAM.

To the Lord CHANCELLOR (*a*).

My honourable Lord,

I HAVE been entreated by a gentleman, whom I much respect, to recommend to your lordship's favour Mr. John Huddy, between whom and Mr. Richard Huddy there is, as I am informed, a cause to be heard before your lordship, in the chancery, on Saturday next. My desire unto your lordship is, that you would shew the said John Huddy what favour you lawfully may, and as his cause will bear, when it cometh before you, for my sake. Which I will not fail to acknowledge, ever resting

Your lordship's faithful servant,

Newmarket, Jan. 28, 1617. G. BUCKINGHAM.

To the Lord CHANCELLOR (*b*).

My honourable Lord,

I UNDERSTAND that his majesly hath been pleased to refer a suit unto him by two of his servants, Robert Maxwell and John Hunt, for the making of sheriffs and escheators patents, to your lordship's con-

(*a*) Harl. MSS. Vol. 7006. (*b*) Ibid.

sideration. My desire unto your lordship on their behalf is, that you would shew them thus much favour for my sake, and with as much expedition as may be, and your lordship's other occasions may permit, to certify your opinion thereof unto his majesty; which I will be ready to acknowledge, and ever rest

Your Lordship's faithful servant,

Newmarket, Feb. 4, 1617. G. BUCKINGHAM.

To the Lord CHANCELLOR (*a*).

My honourable Lord,

THOUGH I had resolved not to write to your lordship in any matter between party and party; yet at the earnest request of my noble friend, the lord Norris, to whom I account myself much beholden, I could not but recommend unto your lordship's favour a special friend of his, Sir Thomas Monk, who hath a suit before your lordship in the chancery (*b*) with Sir Robert Basset; which, upon the report made unto me thereof, seemeth so reasonable, that I doubt not but the cause itself will move your lordship to favour him, if upon the hearing thereof it shall appear the same unto your lordship, as at the first sight it doth unto me. I therefore desire your lordship to shew in this particular what favour you lawfully may, for my sake, who will account it as done unto myself; and will ever rest

Your Lordship's faithful servant,

Newmarket, Feb. 4, 1617. G. BUCKINGHAM.

(*a*) Harl. MSS. Vol. 7006.

(*b*) Lord Bacon was afterwards accused by the House of Commons of having received of Sir Thomas Monk 100 pieces; which he did not deny, but alledged, that it was after the suit was ended.

To the Marquis of BUCKINGHAM.

My very good Lord,

I HAVE sent inclosed a letter to his majesty about the public charge I am to give the last Star Chamber day, which is this day sevennight, to the judges and justices before the circuit. I pray deliver it to his majesty with speed. I send also some papers appertaining to that business, which I pray your lordship to have in readiness, if his majesty call for them. I ever rest

Your Lordship's true friend and devoted servant,

February 6, 1617. FR. BACON, *Canc.*

To the Lord CHANCELLOR (*a*).

My honourable Lord,

HIS majesty marvelleth, that he heareth nothing of the business touching the gold and silver thread (*b*); and therefore hath commanded me to write unto your lordship to hasten the dispatch of it; and to give him as speedy an account thereof as you can. And so I rest

Your Lordship's faithful servant,

Newmarket, Feb. 7. G. BUCKINGHAM.

Indorsed, 1617.

(*a*) Harl. MSS. Vol. 7006.

(*b*) A patent for the monopoly of which was granted to Sir Giles Mompesson and Sir Francis Mitchel, who were punished for the abuse of that patent by the parliament, which met January 30, 1620-1.

To the Lord CHANCELLOR (*a*).

My honourable Lord,

I UNDERSTAND by this bearer, Edward Hawkins, how great pains your lordship hath taken, in the business which I recommended to you concerning him, and how favourably your lordship hath used him for my sake. For which I give your lordship many thanks, and will be ever ready to acknowledge your favour toward him by all the testimonies of

Your Lordship's faithful friend,

Theobalds, Feb. 12, 1617. G. BUCKINGHAM.

To the Lord CHANCELLOR (*b*).

My honourable Lord,

I HAVE acquainted his majesty with your letter, who liketh well of the course you mention in the end of your letter, and will speak with you farther of it at his return to London. In the mean time he would have your lordship give direction to the master of the Rolls (*c*) and Mr. Attoney (*d*) to stay the examination. And so I rest

Your lordship's most assured to do you service,

G. BUCKINGHAM.

Hampton-Court, March 18, 1617.

(*a*) Harl. MSS. Vol. 7006.
(*b*) Ibid.
(*c*) Sir Julius Cæsar.
(*d*) Sir Henry Yelverton.

To the Lord CHANCELLOR of Ireland (*a*).

My Lord Chancellor,

I WILL not have you account the days of my not answering your letter. It is a thing imposed upon the multitude of my business to lodge many things faithfully, though I make no present return.

Your conjunction and good understanding with the deputy (*b*) I approve and commend; for I ever loved intire and good compositions, which was the old physic, better than fine separations.

Your friendly attributes I take as effects of affection; which must be causes of any good offices, wherewith I can requite you.

We conceive that kingdom is in growth. God send soundness to the increase; wherein I doubt not but your lordship will do your part. God keep you.

Your Lordship's very loving friend,

York-house, April 15, 1618. FR. BACON, *Canc.*

To the Lord Chief Justice of Ireland (*c*).

My Lord Chief Justice,

I THANK you for your letter, and assure you, that you are not deceived, neither in the care I have of the public in that state, nor in my good wishes, and the effects thereof, when it shall lie in my power towards yourself.

I am glad to receive your testimony of my lord deputy, both because I esteem your judgment, and because it concurreth with my own.

(*a*) Dr. Thomas Jones, archbishop of Dublin, who died April 10, 1619.

(*b*) Sir Oliver St. John, afterwards viscount Grandison. He died at Battersea in Surrey, December 29, 1630, aged seventy.

(*c*) Sir William Jones, to whom, upon his being called to that post, the lord keeper made a speech, printed in his works.

The materials of that kingdom, which are trade and wealth, grow on apace. I hope the form, which giveth the best living of religion and justice, will not be behind, the rather by you, as a good instrument. I rest

Your Lordship's assured friend,

York-house, ** of April, 1618. FR. BACON, *Canc.*

To the Lord CHANCELLOR (*a*).

My honourable Lord,

UNDERSTANDING, that there is a suit depending before your lordship, between Sir Rowland Cotton (*b*), plantiff, and Sir John Gawen, defendant, which is shortly to come to a hearing; and having been likewise informed, that Sir Rowland Cotton hath undertaken it in the behalf of certain poor people; which charitable endeavour of his, I assure myself, will find so good acceptation with your lordship, that there shall be no other use of recommendation: yet, at the earnest request of some friends of mine, I have thought fit to write to your lordship in his behalf, desiring you to shew him what favour you lawfully may, and the cause may bear, in the speedy dispatch of his business; which I shall be ever ready to acknowledge, and rest

Your Lordship's most devoted to serve you,

Whitehall, April 20, 1618. G. BUCKINGHAM.

(*a*) Harl. MSS. Vol. 7006.

(*b*) A gentleman eminent for his learning, especially in the Hebrew language, in which he had been instructed by the famous Hugh Broughton, who died in 1612. He was son of Mr. William Cotton, citizen and draper of London, and had an estate at Bellaport in Shropshire, where he resided till he came to live at London at the request of Sir Allen Cotton, his father's younger brother, who was Lord Mayor of that city in 1625. Sir Rowland was the first patron of the learned Dr. Lightfoot, and encouraged him in the prosecution of his studies of the Hebrew language and antiquities.

To the Lord CHANCELLOR (*a*).

My honourable Lord,

I WILL not go about to excuse mine own fault, by making you believe his majesty was backward in your business; but upon the first motion, he gave me directions for it; which it was my negligence, as I freely confess, that I have no sooner performed, having not been slack in moving his majesty, but in dispatching your man. All is done, which your lordship desired, and I will give order, according to his majesty's directions, so that your lordship shall not need to trouble yourself any farther, but only to expect the speedy performance of his majesty's gracious pleasure.

I will take the first opportunity to acquaint his majesty with the other business, and will ever rest

Your lordship's faithful friend and servant,

Theobalds, May 8, [1618.] G. BUCKINGHAM.

To the Lord CHANCELLOR (*b*).

My honourable good Lord,

WHEREAS in Mr. Hansbye's cause (*c*), which formerly, by my means, both his majesty and myself recommended to your lordship's favour, your lordship thought good, upon a hearing thereof, to decree some part for the young gentleman, and to refer to some masters of the chancery, for your farther satisfaction,

(*a*) Harl. MSS. Vol. 7006. (*b*) Ibid.

(*c*) This seems to be one of the causes, on account of which lord Bacon was afterwards accused by the House of Commons; in answer to whose charge he admits, that in the cause of Sir Ralph Hansbye there being two decrees, one for the inheritance, and the other for goods and chattels; some time after the first decree, and before the second, there was 500l. delivered to him by Mr. Tobie Matthew; nor could his lordship deny, that this was upon the matter *pendente lite*.

the examination of witnesses to this point; which seemed to your lordship to be the main thing your lordship doubted of, whether or no the leases, conveyed by old Hansbye to young Hansbye by deed, were to be liable to the legacies, which he gave by will; and that now I am credibly informed, that it will appear upon their report, and by the depositions of witnesses, without all exception, that the said leases are no way liable to those legacies; these shall be earnestly to intreat your lordship, that upon consideration of the report of the masters, and depositions of the witnesses, you will, for my sake, shew as much favour and expedition to young Mr. Hansbye in this cause, as the justness thereof will permit. And I shall receive it at your lordship's hands as a particular favour.

So I take my leave of your lordship, and rest

Your Lordship's faithful friend and servant,

Greenwich, June 12, 1618. G. BUCKINGHAM.

To the Lord CHANCELLOR (*a*).

My honourable Lord,

UNDERSTANDING, that the cause depending in the chancery between the lady Vernon and the officers of his majesty's houshold is now ready for a decree; though I doubt not, but, as his majesty hath been satisfied of the equity of the cause on his officers behalf, who have undergone the business, by his majesty's command, your lordship will also find their cause worthy of your favour: yet I have thought fit once again to recommend it to your lordship, desiring you to give them a speedy end of it, that both his majesty may be freed from farther importunity, and they from the charge and trouble of following it: which I will be ever ready to acknowledge as a favour done unto myself, and always rest

Your Lordship's faithful friend and servant,

Greenwich, June 15, 1618. G. BUCKINGHAM.

(*a*) Harl. MSS. Vol. 7006.

To the Lord CHANCELLOR (*a*).

My honourable Lord,

I WROTE unto your lordship lately in the behalf of Sir Rowland Cotton, that then had a suit in dependence before your lordship and the rest of my lords in the Star-Chamber. The cause, I understand, hath gone contrary to his expectation; yet he acknowledges himself much bound to your lordship for the noble and patient hearing he did then receive; and he rests satisfied, and I much beholden to your lordship, for any favour it pleased your lordship to afford him for my cause. It now rests only in your lordship's power for the assessing of costs; which, because, I am certainly informed, Sir Rowland Cotton had just cause of complaint, I hope your lordship will not give any against him. And I do the rather move your lordship to respect him in it, because it concerns him in his reputation, which I know he tenders, and not the money which might be imposed upon him; which can be but a trifle. Thus presuming of your lordship's favour herein, which I shall be ready ever to account to your lordship for, I rest

Your Lordship's most devoted to serve you,

June 19, 1618. G. BUCKINGHAM.

To the Lord CHANCELLOR (*b*).

My honourable Lord,

WHEREAS it hath pleased his majesty to recommend unto your consideration a petition exhibited by Mr. Fowle, together with the grievances and request for the rectifying of the work of gold and silver thread; and now understandeth, that your lordship hath called unto you the other commissioners in that case, and

(*a*) Harl. MSS. Vol. 7006. (*b*) Ibid.

spent some time to hear what the opposers could object, and perceiveth by a relation of a good entrance you have made into the business; and is now informed, that there remaineth great store of gold and silver thread in the merchants hands, brought from foreign parts, besides that, which is brought in daily by stealth, and wrought here by underhand workers; so that the agents want vent, with which inconveniencies, it seemeth the ordinary course of law cannot so well meet: and yet they are inforced, for freeing of clamour, to set great numbers of people on work; so that the commodity lying dead in their hands, will in a very short time grow to a very great sum of money: To the end therefore, that the undertakers may not be disheartened by these wrongs and losses, his majesty hath commanded me to write unto your lordship, to the end you might bestow more time this vacation in prosecuting the course you have so worthily begun, that all differences being reconciled, the defects of the commission may be also amended, for prevention of farther abuses therein; so as the agents may receive encouragement to go on quietly in the work without disturbance. And I rest

Your Lordship's faithful friend and servant,

From Bewly, the 20th day of Aug. 1618.

G. Buckingham.

To the Lord Chancellor.

Most honourable Lord,

HEREWITHAL I presume to send a note inclosed, both of my business in chancery, and with my lord Roos, which it pleased your lordship to demand of me, that so you might better do me good *in utroque genere*. It may please your lordship, after having perused it, to commend it over to the care of Mr. Meautys for better custody.

At my parting last from your lordship, the grief I had to leave your lordship's presence, though but

for a little time, was such, as that being accompanied with some small corporal indisposition, that I was in, made me forgetful to say that, which now for his majesty's service I thought myself bound not to silence. I was credibly informed and assured, when the Spanish ambassador went away, that howsoever Ralegh and the prentices (*a*) should fall out to be proceeded withal, no more instances would be made hereafter on the part of Spain for justice to be done ever in these particulars: but that if slackness were used here, they would be laid up in the deck, and would serve for materials (this was the very word) of future and final discontentments. Now as the humour and design of some may carry them towards troubling of the waters; so I know your lordship's both nature and great place require an appeasing them at your hands. And I have not presumed to say this little out of any mind at all, that I may have to meddle with matters so far above me, but out of a thought I had, that I was tied in duty to lay thus much under your lordship's eye; because I know and consider of whom I heard that speech, and with how great circumstances it was delivered.

I beseech Jesus to give continuance and increase to your lordship's happiness; and that, if it may stand with his will, myself may one day have the honour of casting some small mite into that rich treasury. So I humbly do your lordship reverence, and continue

The most obliged of your Lordship's

many faithful servants,

Nottingham, August 21, 1618. TOBIE MATTHEW.

(*a*) Who on the 12th of July, 1618, had insulted Gondomar, the Spanish ambassador, on account of a boy's being hurt by him as he was riding. [*Camdeni Annales Regis Jacobi I.* p. 33.] They were proceeded against by commissioners at Guildhall on Wednesday the 12th of August following; seven being found guilty, and adjudged to six months imprisonment, and to pay 500l. a piece. Two others were acquitted. MS. letter of Mr. Chamberlain to Sir Dudley Carleton, London, August 15, 1618.

To Mr. (afterwards Sir) ISAAC WAKE, his Majesty's Agent at the Court of Savoy.

Mr. Wake,

I HAVE received some letters from you; and hearing from my lord Cavendish (*a*) how well he affects you, and taking notice also of your good abilities and services in his majesty's affairs, and not forgetting the knowledge I had, when young, of your good father(*b*), I thought myself in some measure tied not to keep from you my good opinion of you, and my desire to give you any furtherance in your fortunes and occasions, whereof you may take knowledge and liberty to use me for your good. Fare you well.

Your very loving friend,

FR. VERULAM(*c*), *Canc.*

York-house, this 1st of Sept. 1618.

To the Lord CHANCELLOR (*d*).

My honourable Lord,

HIS majesty is desirous to be satisfied of the fitness and conveniency of the gold and silver thread-business; as also of the profit, that shall any way accrue unto him thereby. Wherefore his pleasure is, that you shall, with all convenient speed, call unto you the lord chief justice of the King's Bench (*e*), the attorney general (*f*) and the solicitor (*g*); and consider with

(*a*) William Cavendish, son and heir of William, created baron Cavendish of Hardwicke in Derbyshire, in May 1605, and earl of Devonshire, July 12, 1618.

(*b*) Arthur Wake, rector of Billing in Northamptonshire, master of the hospital of St. John in Northampton, and canon of Christ-Church, Oxford.

(*c*) He had been created lord Verulam on the 12th of July, 1618.

(*d*) Harl. MSS. Vol. 7006.

(*e*) Sir Henry Montagu.

(*f*) Sir Henry Yelverton.

(*g*) Sir Thomas Coventry.

them of every of the said particulars, and return them to his majesty, that thereupon he may resolve what present course to take for the advancement of the execution thereof. And so I rest.

Your Lordship's faithful servant,

Theobalds, the 4th of Octob. 1618. G. BUCKINGHAM.

To the Lord CHANCELLOR (*a*).

My honourable Lord,

I HAVE been desired by some friends of mine, in the behalf of Sir Francis Englefyld, to recommend his cause so far unto your lordship, that a peremptory day being given by your lordship's order for the perfecting of his account, and for the assignment of the trust, your lordship would take such course therein, that the gentleman's estate may be redeemed from farther trouble, and secured from all danger, by engaging those, to whom the trust is now transferred by your lordship's order, to the performance of that, whereunto he was tied. And so not doubting but your lordship will do him what lawful favour you may herein, I rest

Your Lordship's faithful friend and servant,

G. BUCKINGHAM.

Indorsed,

Received October 14, 1618.

To the KING, concerning the form and manner of proceeding against Sir WALTER RALEGH (*b*).

May it please your most excellent Majesty,

ACCORDING to your commandment given unto us, we have, upon divers meetings and conferences, considered what form and manner of proceeding

(*a*) Harl. MSS. Vol. 7006.

(*b*) He was beheaded October 29, 1618, the day of the inauguration of the lord mayor of London.

against Sir Walter Ralegh might best stand with your majesty's justice and honour, if you shall be pleased, that the law shall pass upon him.

And, first, we are of opinion, that Sir Walter Ralegh being attainted of high-treason, which is the highest and last work of law, he cannot be drawn in question judicially for any crime or offence since committed. And therefore we humbly present two forms of proceeding to your majesty: the one, that together with the warrant to the lieutenant of the Tower, if your majesty shall so please, for his execution, to publish a narrative in print of his late crimes and offences: which, albeit your majesty is not bound to give an account of your actions in these cases to any but only to God alone, we humbly offer to your majesty's consideration, as well in respect of the great effluxion of time since his attainder, and of his employment by your majesty's commission, as for that his late crimes and offences are not yet publickly known. The other form, whereunto, if your majesty so please, we rather incline, is, that where your majesty is so renowned for your justice, it may have such a proceeding, as is nearest to legal proceeding; which is, that he be called before the whole body of your council of state, and your principal judges, in your council-chamber; and that some of the nobility and gentlemen of quality be admitted to be present to hear the whole proceeding, as in like cases hath been used. And after the assembly of all these, that some of your majesty's counsellors of state, that are best acquainted with the case, should openly declare, that this form of proceeding against Sir Walter is holden, for that he is civilly dead. After this your majesty's council learned to charge his acts of hostility, depredation, abuse as well of your majesty's commission, as of your subjects under his charge, impostures, attempt of escape, and other his misdemeanors. But for that, which concerns the French, wherein he was rather passive than active, and without which the charge is compleat, we humbly refer to your majesty's consideration, how far that shall be touched. After which charge so given, the

examination read, and Sir Walter heard, and some to be confronted against him, if need be, then he is to be withdrawn and sent back; for that no sentence is, or can be, given against him. And after he is gone, then the lords of the council and judges to give their advice to your majesty, whether in respect of these subsequent offences upon the whole matter, your majesty, if you so please, may not with justice and honour give warrant for his execution upon his attainder. And of this whole proceeding we are of opinion, that a solemn act of council should be made, with a memorial of the whole presence. But before this be done, that your majesty may be pleased to signify your gracious direction herein to your council of state; and that your council learned, before the calling of Sir Walter, should deliver the heads of the matter, together with the principal examinations touching the same, wherewith Sir Walter is to be charged, unto them, that they may be perfectly informed of the true state of the case, and give their advice accordingly. All which nevertheless we, in all humbleness, present and submit to your princely wisdom and judgment, and shall follow whatsoever it shall please your majesty to direct us herein, with all dutiful readiness.

Your Majesty's most humble

and faithful servants, &c.

York-house, this 18th of October, 1618.

To the Lord CHANCELLOR (*a*).

My honourable Lord,

WHEREAS there is a cause depending in the court of chancery between one Mr. Francis Foliambe and Francis Hornsby, the which already hath received a decree, and is now to have another hearing before yourself; I have thought fit to desire you to shew so much favour therein, seeing it concerns the gentle-

(*a*) Harl. MSS. Vol. 7006.

man's whole estate, as to make a full arbitration and final end, either by taking the pains in ending it yourself, or preferring it to some other, whom your lordship shall think fit: which I shall acknowlege as a courtesy from your lordship; and ever rest

Your Lordship's faithful friend and servant,

G. Buckingham.

Hinchingbroke, the 22d of October, 1618.

To the Marquis of Buckingham.

My very good Lord,

I SEND the commission for making Lincoln's Inn-Fields into walks for his majesty's signature. It is without charge to his majesty.

We have had my lord of Ormonde (*a*) before us. We could not yet get him to answer directly, whether he would obey the king's award or no. After we had endured his importunity and impertinences, and yet let him down to this, that his majesty's award was not only just and within his submission, but in his favour; we concluded in few words, that the award must be obeyed, and if he did refuse or impugn the execution of it in Ireland, he was to be punished by the justice of Ireland: if he did murmur or scandalize it here, or trouble his majesty any more, he was to be punished in England. Then he asked, whether he might be gone. For that, we told him, his majesty's pleasure was to be known.

(*a*) Walter, earl of Ormonde, grandfather of James the first duke of Ormonde. This earl, upon the death of Thomas, earl of Ormonde and Ossory, succeeding to those honours, should have inherited likewise the greatest part of the estate: but his right was contested by Sir Richard Preston lord Dingwell, supported by the favour of king James I. who made an award, which Walter, earl of Ormonde, conceiving to be unjust, refused to submit to, and was, by the king's order, committed to the Fleet, where he remained eight years before the death of that king; but in 1625 recovered his liberty.

Sir Robert Mansell hath promised to bring his summer account this day seven-night. God preserve and prosper you.

Your Lordship's most obliged friend,
and faithful servant,

November 12, 1618. FR. VERULAM, *Canc.*

To the Lord CHANCELLOR (*a*).

My honourable Lord,

I SEND your lordship the commission signed by his majesty, which he was very willing to dispatch as a business very commendable and worthy to be taken in hand.

For the earl of Ormonde, his majesty made no other answer, but that he hopeth he is not so unmannerly, as to go away without taking leave of his majesty.

For Sir Robert Mansell's account, his majesty saith he is very slow, especially being but a summary account, and that he promised to bring it in before: and therefore would have him tied to the day he hath now set, without any farther delay.

This last his majesty commanded me to put in after I had written and signed my letter.

Your Lordship's faithful friend and servant,

G. BUCKINGHAM.

Royston, the 13th of November, 1618.

To the Lord CHANCELLOR (*b*).

My honourable Lord,

HAVING formerly moved your lordship in the business of this bearer, Mr. Wyche, of whom, as I understand, your lordship hath had a special care to do

(*a*) Harl. MSS. Vol. 7006. (*b*) Ibid.

him favour, according to the equity of his cause; now seeing that the cause is shortly to he heard, I have thought fit to continue my recommendation of the business unto you, desiring your lordship to shew what favour you lawfully may unto Mr. Wyche, according as the justness of the cause shall require: which I will acknowledge as a courtesy from your lordship, and ever rest

Your Lordship's faithful friend and servant,

G. BUCKINGHAM.

Newmarket, the 18th of November, 1618.

To the Lord CHANCELLOR (*a*).

My honourable Lord,

I SEND your lordship the bill of the sheriff of Hereford and Leicester, pricked and signed by his majesty, who hath likewise commanded me to send unto your lordship these additions of instructions, sent unto him by the surveyor and receiver of the court of wards; wherein, because he knoweth not what to prescribe without understanding what objections can be made, his pleasure is, that your lordship advise and consider of them, and send him your opinion of them, that he may then take such course therein, as shall be fit.

His majesty commanded me to give you thanks for your care of service; and so I rest

Your Lordship's faithful servant,

Newmarket, 22d of November. G. BUCKINGHAM.

Indorsed, 1618.

(*a*) Harl. MSS. Vol. 7006.

To the Marquis of Buckingham.

My very good Lord,

WE have put the *Declaration* (*a*) touching Ralegh to the press with his majesty's additions, which were very material, and fit to proceed from his majesty.

For the prisoners, we have taken an account, given a charge, and put some particulars in examination for punishment and example.

For the pursuivants, we staid a good while for Sir Edward Coke's health; but he being not yet come abroad, we have entered into it; and we find faults, and mean to select cases for example: but in this swarm of priests and recusants we are careful not to discourage in general. But the punishment of some, that are notoriously corrupt, concerned not the good, and will keep in awe those that are but indifferent.

The balance of the king's estate is in hand, whereof I have great care, but no great help.

The sub-committees for the several branches of treasure are well chosen and charged.

This matter of the king's estate for means is like a quarry, which digs and works hard; but then, when I consider it buildeth, I think no pains too much; and after term it shall be my chief care.

For the mint, by my next I will give account; for our day is Wednesday.

God ever preserve and prosper you.

Your Lordship's

November 22, 1618. Fr. Verulam, *Canc.*

Indorsed,

Of council-business.

(*a*) *Declaration of the Demeanor and Carriage of Sir* Walter Ralegh, *Knight, as well in his Voyage, as in and since his return, &c.* printed at London, 1618, in quarto.

To the Lord CHANCELLOR(*a*).

My honourable Lord,

I HAVING understood by Dr. Steward, that your lordship hath made a decree against him in the chancery, which he thinks very hard for him to perform; although I know it is unusual to your lordship to make any alterations, when things are so far past: yet in regard I owe him a good turn, which I know not how to perform but this way, I desire your lordship, if there be any place left for mitigation, your lordship would shew him what favour you may, for my sake, in his desires, which I shall be ready to acknowledge as a great courtesy done unto myself; and will ever rest

Your Lordship's faithful friend and servant,

G. BUCKINGHAM.

Newmarket, the 2d of Decemb. 1618.

To the Lord CHANCELLOR(*b*).

My honourable Lord,

I HAVE written a letter unto your lordship, which will be delivered unto you in behalf of Dr. Steward; and besides, have thought fit to use all freedom with you in that, as in other things; and therefore have thought fit to tell you, that he being a man of very good reputation, and a stout man, that will not yield to any thing, wherein he conceiveth any hard course against him, I should be sorry he should make any complaint against you. And therefore, if you can advise of any course, how you may be eased of that burden, and freed from his complaint, without shew of any fear of him, or any thing he can say, I will be ready to join with you for the accomplishment there-

(*a*) Harl. MSS. Vol. 7006. (*b*) Ibid.

of: And so desiring you to excuse the long stay of your man, I rest

Your Lordship's faithful friend and servant,

G. BUCKINGHAM.

From Newmarket, 3d of December, 1618.

To the Marquis of BUCKINGHAM.

My very good Lord,

YESTERNIGHT we dispatched the lord Ridgeway's account. Good service is done. Seven or eight thousand pounds are coming to the king, and a good precedent set for accounts.

There came to the seal about a fortnight since a strange book passed by Mr. Attorney to one Mr. Hall; and it is to make subjects, for so is denization, and this to go to a private use, till some thousand pounds be made of it. The number one hundred denizens. And whereas all books of that nature had an exception of merchants, which importeth the king not much in his customs only, for that is provided for in the book, but many other ways, this takes in merchants and all. I acquainted the commissioners with it, and by one consent it is stayed. But let me counsel his majesty to grant forth a commission of this nature, so to raise money for himself, being a flower of the crown: and Hall may be rewarded out of it; and it would be to principal persons, that it may be carried with election and discretion, whom to admit to denization, and whom not.

God ever bless and prosper you.

Your Lordship's most faithful
and obliged friend and servant,

December 8, 1618. FR. VERULAM, *Canc.*

To the Lord CHANCELLOR (*a*).

My honourable Lord,

I THANK your lordship for the favour, which, I understand, Sir Francis Englefyld hath received from your lordship upon my last letter, whereunto I desire your lordship to add this one favour more, which is the same, that I understand your lordship granted him at Christmas last, to give him liberty, for the space of a fortnight, to follow his business in his own person; whereby he may bring it to the more speedy end, putting in security, according to the ordinary course, to render himself prisoner again, as soon as that time is expired: which is all that I desire for him, and in which I will acknowledge your lordship's favour towards him; and ever rest

Your Lordship's faithful friend and servant,

G. BUCKINGHAM.

Newmarket, the 10th of Decemb. 1618.

To the Marquis of BUCKINGHAM (*b*).

My very good Lord,

I SEND you herewith the copy of a letter, which we, the commissioners for Ormonde's cause, have written to the deputy of Ireland, according to his majesty's pleasure signified by Sir Francis Blundell; which I humbly desire his majesty would peruse, that if it do not attain his meaning, as we conveyed it, we may second it with a new letter.

We have appointed Monday morning for these mint businesses, referred by his majesty to certain commissioners, and we will carry it *sine strepitu*.

The patent touching Guinea and Bynny for the trade of gold, staid first by myself, and after by his majesty's commandment, we have now settled by consent of all parties.

(*a*) Harl. MSS. Vol. 7006. (*b*) Ibid.

Mr. Attorney, by my direction, hath made, upon his information exhibited into the Star-Chamber, a thundering motion against the transportation of gold by the Dutch; which all the town is glad of; and I have granted divers writs of *ne exeat regnum*, according to his majesty's warrant.

Sir Edward Coke keeps in still, and we have miss of him; but I supply it as I may by my farther diligence. God ever bless you and keep you.

Your Lordship's most faithful and bounden friend and servant,

December 11, 1618. FR. VERULAM, *Canc.*

I forget not your doctor's (*c*) matter. I shall speak with him to-day, having received your lordship's letter; and what is possible, shall be done. I pray pardon my scribbling in haste.

To the Lord CHANCELLOR (*d*).

My honourable Lord,

I HAVE acquainted his majesty with your letters, who is very well pleased with your care of his service, in making stay of the grant of denizens upon the reason you alledge, whereof his majesty will speak farther with you at his return.

The letter, which you sent me about my lord of Ormonde's son, is not according to his majesty's meaning; but I would have you frame another to my lord deputy to this purpose: "That his majesty having "seen a letter of his to Sir Francis Blundell, adver- "tising, that the earl of Ormonde's son, and some "other of his kindred, did victual and fortify their "houses; his majesty hath thereupon commanded you "to write unto him, that if the ground of his infor- "mation be true, which he may best know, that then

(*c*) Steward's. See above, p. 211.

(*d*) Harl. MSS. Vol. 7006.

" he send for the said earl's son, and the principal of " his kindred, to appear before him; and if they ap- " pear, and give him satisfaction, it is well; but if " they refuse to appear, or give him not satisfaction, " though they appear; that then he assemble what " forces he can, be they never so few, and go against " them, that he may crush the rebellion in the " egg."

I have remembered his majesty, as I promised your lordship, about the naming you for a commissioner to treat with the Hollanders: But besides that you have so many businesses, both of the star-chamber, and others in the term-time, when this must be attended as well as in the vacation, whereby this would be either too great a toil to you, or a hindrance to his majesty's service; he thinketh it could not stand with the honour of your place to be balanced with those that are sent from the state, so far unequal to his majesty, and being themselves none of the greatest of the state. Therefore his majesty holdeth it not fit or worthy of you to put you into such an employment, in which none of your predecessors, or any of the chief counsellors, have been ever used in this kind, but only in a treaty of marriage or conclusion of a peace; as when the constable of Castile was here, when the commissioners on both sides had their authority under the great seal of either kingdom, with direct relation to their sovereigns, far differing from this commission, which is now given to these men, and whereunto his majesty is to frame the course of his. As for the part, which concerneth Scotland, the choice hath not been made of the chancellor or archbishop of St. Andrew's, but of men nearer the rank of those, that come hither to treat. As yet his majesty delayeth to give any commission at all, because he would first be informed from the lords, both of the points and form of their commission, which his majesty hitherto understandeth to be, with authority to over-rule and direct their merchants in what they shall think fit; which if it be so, then his majesty holdeth it fit, for his part, to appoint the whole body of the council with like

power over his merchants. As for me, I shall be ever ready upon any occasion to shew myself

Your Lordship's faithful friend and servant,

G. BUCKINGHAM.

Newmarket, the 14th of December, 1618.

To the Lady CLIFFORD.

My good Lady and Cousin,

I SHALL not be wanting in any thing, that may express my good affection and wishes towards your ladyship, being so near unto me, and the daughter of a father, to whom I was in the passages of my fortune much obliged. So with my loving commendations, in the midst of business, I rest

Your affectionate kinsman and assured friend,

FR. VERULAM, *Canc.*

York-house, this 25th of January, 1618.

To the Lord CHANCELLOR (*a*).

My honourable Lord,

LEST my often writing may make your lordship conceive, that this letter hath been drawn from you by importunity, I have thought fit, for preventing of any such conceit, to let your lordship know, that Sir John Wentworth, whose business I now recommend, is a gentleman, whom I esteem in more than an ordinary degree. And therefore I desire your lordship to shew him what favour you can for my sake in his suit, which his majesty hath referred to your lordship: which I will acknowledge as a courtesy unto me, and rest

Your Lordship's faithful friend and servant,

Newmarket, January 26th, 1618. G. BUCKINGHAM.

(*a*) Harl. MSS, Vol. 7006.

To the Lord CHANCELLOR (*a*).

My honourable Lord,

I BEING desired by a special friend of mine to recommend unto your lordship's favour the case of this petitioner, have thought fit to desire you, for my sake, to shew him all the favour you may in this his desire, as you shall find it in reason to deserve; which I shall take as a courtesy from your lordship, and ever rest

Your Lordship's faithful friend and servant,

G. BUCKINGHAM.

I thank your lordship for your favour to Sir John Wentworth, in the dispatch of his business.

Newmarket, March 15, 1618.

To the Lord CHANCELLOR (*b*).

Most honourable Lord,

IT may please your lordship, there was with me this day one Mr. Richard White, who hath spent some little time at Florence, and is now gone into England. He tells me, that Galileo had answered your discourse concerning the flux and reflux of the sea, and was sending it unto me; but that Mr. White hindered him, because his answer was grounded upon a false supposition, namely, that there was in the ocean a full sea but once in twenty-four hours. But now I will call upon Galileo again. This Mr. White is a discreet and understanding gentleman, though he seems a little soft, if not slow; and he hath in his hands all the works, as I take it, of Galileo, some printed, and some unprinted. He hath his discourse of the flux and reflux of the sea, which was never printed; as also a discourse of the mixture of metals.

(*a*) Harl. MSS. Vol. 7006. (*b*) Ibid.

Those which are printed in his hand are these: the *Nuncius sidereus;* the *Macchie solari*, and a third *Delle Cose, che stanno su l'aqua*, by occasion of a disputation, that was amongst learned men in Florence about that, which Archimedes wrote, *de insidentibus humido.*

I have conceived, that your lordship would not be sorry to see these discourses of that man; and therefore I have thought it belonging to my service to your lordship to give him a letter of this date, though it will not be there so soon as this. The gentleman hath no pretence or business before your lordship, but is willing to do your lordship all humble service; and therefore, both for this reason, as also upon my humble request, I beseech your lordship to bestow a countenance of grace upon him. I am beholden to this gentleman; and, if your lordship shall vouchsafe to ask him of me, I shall receive honour by it. And I most humbly do your lordship reverence.

Your Lordship's most obliged servant,

TOBIE MATTHEW.

Brussels, from my bed, the 14th of April, 1619.

To the Lord CHANCELLOR (*a*).

My honourable Lord,

HIS majesty hath commanded me to signify unto your lordship, that it is his pleasure you put off the hearing of the cause between Sir Arthur Mainwaring and Gabriel Dennis till toward the end of the term; because his majesty is graciously pleased to be at the hearing thereof himself. And so I rest

Your Lordship's faithful friend and servant,

Royston, April 13, 1619. G. BUCKINGHAM.

(*a*) Harl. MSS. Vol. 7006.

To the Lord CHANCELLOR, and Sir LIONEL TANFIELD, Lord Chief Baron of the Exchequer (*a*).

My Lords,

HIS majesty having been moved by the duke of Savoy's ambassador in the behalf of Philip Bernardi, whom he is to send about some special employment over the seas to the duke of Savoy, that before his going, the business mentioned in this petition may be ended, hath commanded me to recommend the same unto your lordship's care, that with all expedition the cause may be heard and ended by your lordships, according to his majesty's reference; or left to the determination of the court of chancery, where it is depending, and where the party assureth himself of a speedy end. And so I rest

Your Lordships very assured friend at command,

Royston, the 19th of April, 1619. G. BUCKINGHAM.

To the Marquis of BUCKINGHAM (*b*).

My very good Lord,

I THINK fit to let your lordship understand what passed yesterday in the Star-Chamber touching Suffolk's (*c*) business.

There came to me the clerk of the court in the inner chamber, and told me, that my lord of Suffolk desired to be heard by his council at the sitting of the court, because it was pen *** him.

I marvelled I heard not of it by Mr. Attorney, who should have let me know as much, that I might

(*a*) Harl. MSS. Vol. 7006. (*b*) Ibid.

(*c*) Thomas Howard, earl of Suffolk, who had been made lord treasurer in 1614. He was accused of several misdemeanors in that office, together with his lady, and Sir John Bingley, her ladyship's agent; and an information preferred against them all in the Star-Chamber.

not be taken on the sudden in a cause of that weight.

I called presently Mr. Attorney to me, and asked him, whether he knew of the motion, and what it was, and how he was provided to answer it. He signified to me, that my lord would desire to have the commission for examinations in Ireland to be returnable in Michaelmas term. I said, it might not be, and presently drew the council, then present, to me, and made Mr. Attorney repeat to them the passages past, and settled it, that the commission should be returnable the first day of the next term, and then republication granted, that it might, if accidents of wind and weather permit, come to hearing in the term. And upon motion in open court it was ordered accordingly.

God ever preserve and prosper you. I pray God this great easterly wind agree well with his majesty.

Your Lordship's most obliged friend,
and faithful servant,

May 6, 1619. FR. VERULAM, *Canc.*

Indorsed,

Sent by Sir Gilbert Houghton.

To the Marquis of BUCKINGHAM.

My very good Lord,

I AM much bounden to his majesty, and likewise to your lordship. I see, by the late accesses I have had with his majesty, and now by his royal and real favour (*a*), that he loveth me, and acknowledgeth me for the servant I am, or desire to be. This in me must turn to a great alacrity to honour and serve him with a mind less troubled and divided. And for your lordship, my affection may and doth daily receive addition, but cannot, nor never could, receive alteration. I pray present my humble thanks to his majesty; and I am very glad his health confirmeth; and

(*a*) Probably the grant made to him about this time of 1200*l.* a year.

I hope to see him this summer at Gorhambury: there is sweet air as any is. God preserve and prosper you both. I ever rest

Your Lordship's most obliged friend
and faithful servant,

May 9, 1619. FR. VERULAM, *Canc.*

Minute of a Letter to the Count PALATINE of the Rhine.

Monseigneur,

JE me tiens a grand honneur, qu'il plaise à vostre altesse de me cognoistre pour tel, que je suis, ou pour le moins voudrois éstre, envers vous et vostre service: et m'estimeray heureux, si par mes conseils aupres du roy, ou autre devoir, je pourroy contribuer à vostre grandeur, dont il semble que Dieu vous a basti de belles occasions, ayant en contemplation vostre tres-illustre personne, non seulement comme tres cher allié de mon maistre, mais aussi, comme le meilleur appui, apres les roys de Grande Bretagne, de la plus saine partie de la Chrestieneté.

Je ne puis aussi passer sous silence la grande raison, que vostre altesse fait a vostre propre honneur en choissistant tels conseilleurs et ministres d'estat, comme se monstre tres-bien estre monsieur le baron de Dhona et Monsieur de Plessen, estants personages si graves, discretes et habiles; en quoy vostre jugement reluict assez.

Vostre altesse de vostre grace excusera la faulte de mon language François, ayant ésté tant versé es vielles loix de Normandie: mais le cœur supplera la plume, en priant Dieu de vous tenir en sa digne et saincte garde,

Monseigneur,
De vostre altesse le plus humble
et plus affectionné serviteur.

Indorsed, May 13, 1619.

To the Lord CHANCELLOR (*a*).

My honourable Lord,

HIS majesty was pleased, at the suit of some who have near relation unto me, to grant a licence for transportation of butter out of Wales, unto one Lewis and Williams; who, in consideration that the patent should be passed in their names, entered into articles for the performance of certain conditions agreed upon between them, which, now that the patent is under the great seal, they utterly refuse to perform. My desire therefore to your lordship is, that you would call the said Lewis and Williams before you, with the other parties, or some of them, who shall be ready at all times to attend your lordship; and out of your consideration of the matter, according to equity, to take such course therein, that either the said agreement may be performed, or that they which refuse it may receive no benefit of the patent which upon reason thereof was passed in their names. And herein I desire your lordship to make what expedition you can; because now is the season to make provision of the butter, that for this year is to be transported, whereof they take advantage to stand out. And so I rest

Your Lordship's faithful friend and servant,

Greenwich, May 14, 1619. G. BUCKINGHAM.

To the Marquis of BUCKINGHAM.

My very good Lord,

THOUGH it be nothing, and all is but duty; yet I pray shew his majesty the paper inclosed, that his majesty may see how careful his poor servant is upon every emergent occasion to do him what honour he

(*a*) Harl. MSS. Vol. 7006.

can. The motion made in court by the king's serjeant, Crew (*a*), that the declaration might be made parcel of the record, and that I hear otherwise of the great satisfaction abroad, encourageth me to let his majesty know what passed.

God ever preserve and prosper you both.

Your Lordship's obliged friend

and faithful servant,

FR. VERULAM, *Canc.*

Indorsed June 29, 1619.

My lord to my lord marquis, inclosing the form of a declaration used in point of acknowledgment in the lady Exeter's (*b*) cause.

To the Marquis of BUCKINGHAM.

My very good Lord,

I PURPOSED to have seen you to-day, and receive your commandments before the progress. But I came not to London till it was late, aad found you were gone before I came. Nevertheless I would not fail to let your lordship understand, that as I find every day more and more occasions, whereby you bind me to you; so this morning the king of himself did tell me some testimony, that your lordship gave of me to his majesty even now, when you went from him, of so great affection and commendation, for I must ascribe your commendation to affection, being above my merit, as I must do contrary to that that painters do; for they desire to make the picture to the life, and I must endeavour to make the life to the picture, it hath pleased you to make so honourable a description of me. I can be but yours, and desire to better myself, that I may be of more worth to such an owner.

(*a*) Sir Randolph Crew, made chief justice of the King's Bench, January 26, 1624.

(*b*) Countess of Exeter, accused of incest and other crimes by the lady Lake, wife of secretary Lake, and their daughter the lady Roos.

I hope to give the king a good account of my time this vacation.

If your lordship pass back by London, I desire to wait on you, and discourse a little with you; if not, my prayers shall go progress with you, and my letters attend you, as occasion serveth.

God ever preserve and prosper you.

Your Lordship's most obliged friend

and faithful servant,

July 19, 1619. FR. VERULAM, *Canc.*

To the Marquis of BUCKINGHAM.

My very good Lord,

THIS day, according to the first appointment, I thought to have waited upon his majesty, and to have given him an account of my cares and preparations for his service, which is my progress. And therefore, since his coming to Windsor is prolonged, I thought to keep day by letter, praying your lordship to commend my most humble service to his majesty, and to let him know, that since I see his majesty doth me the honour, as to rely upon my care and service, I lose no time in that which may pertain thereunto. I see the straits, and I see the way out; and what lieth in one man, whom he hath made great, and trained, shall not be wanting. And I hope, if God give me life for a year or two, to give his majesty cause to think of me seven years after I am dead.

I am glad the time approacheth, when I shall have the happiness to kiss his majesty's hands, and to embrace your lordship, ever resting

Your Lordship's most obliged friend

and faithful servant,

York-house, August 28, 1619. FR. VERULAM, *Canc.*

To the Lord CHANCELLOR (*a*).

My honourable Lord,

HIS majesty, upon a petition delivered by Mr. Thomas Digby, wherein he complaineth of great wrongs done unto him, hath been pleased, for his more speedy relief and redress, if it prove as he alledgeth, to refer the consideration thereof unto your lordship. And because he is a gentleman, whom I have long known and loved, I could not but add my desire to your lordship, that, if you find he hath been wronged, you would do him so much favour, as to give him such remedy, as the equity of his case may require. For which I will ever rest

Your Lordship's faithful friend and servant,

Royston, Octob. 8, 1619. G. BUCKINGHAM.

To the Lord CHANCELLOR (*b*),

My honourable Lord,

I HAVE acquainted his majesty with your letter, who hath given order to Mr. Secretary Calvert, to signify his pleasure for the proceeding in that business, whereof you write, without any farther delay, as your lordship will more fully understand by Mr. Secretary, who for that purpose is to return to London against the day of hearing.

I have no answer to make to your former letter, and will add no more to this, but that his majesty hath a great confidence in your care of his service. And so I rest

Your Lordship's faithful friend and servant,

Royston, Oct. 10, 1619. G. BUCKINGHAM.

Indorsed,

Shewing his majesty's acceptation of your lordship's care, in particular in the business against the earl of Suffolk.

(*a*) Harl. MSS. Vol. 7006. (*b*) Ibid.

To the Marquis of Buckingham.

My very good Lord,

AFTER my last letter yesterday, we entered into conference, touching the Suffolk cause, myself, and the commissioners, and the two chief justices (*a*). The fruit of this conference is, that we all conceive the proceedings against my lord himself to be not only just and honourable, but in some principal parts plausible in regard of the public; as namely, those three points, which touch upon the ordnance, the army of Ireland, and the money of the cautionary towns; and the two chief justices are firm in it.

I did also, in this cause, by the assent of my lords, remove a part; for Mr. Attorney had laid it upon serjeant Davies (*b*) to open the information, which is that which gives much life or coldness to the cause. But I will have none but trained men in this cause; and I cannot forget, that the allotting of the opening of the information in this cause of the Dutch, I mean the main cause, to a mean fellow, one Hughes, did hurt, and was never well recovered.

By my next I will write of the king's estate: and I ever rest

Your Lordship's most obliged friend

and faithful servant,

October 14, 1619. Fr. Verulam, *Canc.*

(*a*) Sir Henry Montagu of the King's Bench, and Sir Henry Hobart of the Common Pleas.

(*b*) Sir John Davies, author of *Nosce teipsum*, knighted in February, 1607-8, and made serjeant at law in 1612. He had been attorney general of Ireland.

To the Marquis of BUCKINGHAM.

My very good Lord,

THIS morning the Duke (*a*) came to me, and told me the king's cause was yesterday left fair; and if ever there were a time for my lord of Suffolk's submission, it was now; and that, if my lord of Suffolk should come into the court, and openly acknowledge his delinquency, he thought it was a thing considerable. My answer was, I would not meddle in it; and if I did, it must be to dissuade any such course; for that all would be but a play upon the stage, if justice went not on the right course. This I thought it my duty to let the king know by your lordship.

I cannot express the care I have had of this cause in a number of circumstances and discretions, which though they may seem but small matters, yet they do the business, and guide it right.

God ever keep your lordship.

Your Lordship's most obliged friend

and faithful servant,

October 21, 1619. FR. VERULAM, *Canc.*

To the Marquis of BUCKINGHAM.

My very good Lord,

I AM doubly bounden to the king, for his majesty's trust and acceptation; whereof the one I will never deceive; the other, though I cannot deserve, yet I will do my best, and perhaps as much as another man.

This day the evidence went well; for the Solicitor (*b*) did his part substantially: and, a little to warm

(*a*) Lodowick, duke of Lenox. He was created duke of Richmond, May 17, 1623; and died February 11, 162$\frac{3}{4}$.

(*b*) Sir Thomas Coventry, afterwards lord keeper of the great seal.

the business, when the misemployment of treasure, which had relation to the army of Ireland was handled, I spake a word, that he that did draw or milk treasure from Ireland, did not *emulgere*—milk money, but blood. But this is but one of the little things that I wrote of before.

The king, under pardon, must come hither with two resolutions: the one, to remit all importunity touching this cause, to the lords in court of justice; the other, to pursue the designs first taken at Windsor, and then at Hampton Court, for his commission of treasury: wherein I do my part, and it is reasonably well; but better would it be, if instruments were not impediments. I ever rest

Your Lordship's most obliged friend

and faithful servant,

October 27, Wednesday. FR. VERULAM, *Canc.*

Friday will not end the business; for to-morrow will but go through with the king's evidence.

To the Lord CHANCELLOR (*a*).

My honourable Lord,

THIS bearer, a Frenchman belonging to the ambassador, having put an Englishman in suit for some matters between them, is much hindered and molested by often removing of the cause from one court to another. Your lordship knows, that the French are not acquainted with our manner of proceedings in the law, and must therefore be ignorant of the remedy in such a case. His course was to his majesty; but I thought it more proper, that your lordship would be pleased to hear and understand this case from himself, and then to advise and take order for his relief, as your

(*a*) Harl. MSS. Vol. 7006.

lordship in your wisdom shall think fit. So commending him to your honourable favour, I rest

Your Lordship's faithful friend and servant,

Royston, 27th of October, 1619. G. BUCKINGHAM.

Your lordship shall do well to be informed of every particular, because his majesty will have account of it at his coming.

To the Lord CHANCELLOR (*a*).

My honourable Lord,

I HAVE acquainted his majesty with your letter, who commanded me to give your lordship thanks for your speed in advertising those things that pass, and for the great care he seeth you ever have of his service.

I send your lordship back the bill of sheriffs for Sussex, wherein his majesty hath pricked the first, as your lordship wished.

His majesty would not have you omit this opportunity of so gross an oversight in the judges, to admonish them of their negligence in suffering such a thing to come to his majesty, which needed his amending afterward: and withal, to let them know, that his majesty observeth, that every year they grow more and more careless of presenting fit men unto him for that place; and that you advise them to be more wary hereafter, that they may give his majesty better satisfaction. And so I rest

Your Lordship's faithful friend and servant,

Royston, November 14, 1619. G. BUCKINGHAM.

(*a*) Harl. MSS. Vol. 7006.

To the Marquis of BUCKINGHAM.

My very good Lord,

THIS day afternoon, upon our meeting in council, we have planned those rubs and knots, which were mentioned in my last, whereof I thought good presently to advertise his majesty. The days hold without all question, and all delays diverted and quieted.

Sir Edward Coke was at Friday's hearing, but in his night-cap; and complained to me, he was ambulant, and not current. I would be sorry he should fail us in this cause. Therefore I desired his majesty to signify to him by your lordship, taking knowledge of some light indisposition of his, how much he should think his service disadvantaged in this cause, if he should be at any day away; for then he cannot sentence.

By my next I will give his majesty some account of the tobacco and the currants. I ever rest

Your Lordship's most obliged friend

and faithful servant,

November 20, at evening, 1619. FR. VERULAM, *Canc.*

To the Marquis of BUCKINGHAM.

My very good Lord,

I KNOW well his majesty taketh to heart this business of the Dutch (*a*), as he hath great reason, in respect both of honour and profit. And because my first letter was written in the epitasis, or trouble of the business; and my second in the beginning of the catastrophe, or calming thereof, wherein nevertheless I was fain to bear up strongly into the weather before the calm followed; and since every day hath been

(*a*) Merchants, accused in the Star-Chamber for exporting the gold and silver coin.

better and better, I thought good to signify so much, that his majesty may be less in suspence.

The great labour was to get entrance into the business; but now the portcullis is drawn up. And though, I must say, there were some blots in the tables, yet, by well playing, the game is good.

Rowland is passing well justified; for both his credit is, by very constant and weighty testimony, proved; and those vast quantities, which were thought incredible, or at least improbable, are now made manifest truth.

Yet I find a little of the old leaven towards the first defendants, carried in this style and character: "I "would this that appears now had appeared at first. "But this cometh of haste and precipitation;" and the like. But yet, I hope, the corruption and practice upon the *ore tenus*, and the rectifying of Rowland's credit, will satisfy my lords upon the former proofs. For I would be very sorry, that these new defendants, which, except one or two, are the smaller flies, should be in the net; and the old defendants, which are the greater flies, should get through. God preserve you.

Your Lordship's most obliged friend

and faithful servant,

This November 26, 1619. FR. VERULAM, *Canc.*

Indorsed,

Touching the Dutch business.

To the Lord CHANCELLOR (*a*).

My honourable Lord,

I DO, from time to time, acquaint his majesty with your letters, wherein he ever perceiveth your vigilant care in any thing that concerneth his service; and hath commanded me to give you thanks in his name, who is sure your endeavours will never be wanting,

(*a*) Harl. MSS. Vol. 7006.

when any thing is to be done for the advancement of his affairs.

According to your lordship's advice, his majesty hath written to the commissioners of the treasury, both touching the currants and the tobacco (*b*), the plantation whereof his majesty is fully resolved to restrain; and hath given them order forth-with to set out a proclamation to that effect; not intending in that point to stand upon any doubt of law, nor to expect the judges interpretation; nor to allow any freehold in that case; but holding this the safest rule, *Salus reipublicæ suprema lex esto.* And so I rest

Your Lordship's faithful friend and servant,

Newmarket Nov. 27, 1619. G. BUCKINGHAM.

To the Lord CHANCELLOR (*c*).

My honourable Lord,

I HAVE presented both the submissions to his majesty. His answer is, he cannot alter that, which was allowed of by the lords of the last Star-Chamber-day, except first they be acquainted with it, and the consent of the lady Exeter be likewise had, because the decree doth necessarily require it. So I rest

Your Lordship's humble servant,

G. BUCKINGHAM.

Indorsed,

Touching the submissions of Sir Thomas Lake and his lady.

(*b*) Lord Bacon, in his letter of November 22, 1619, mentions, that there was offered 2000l. increase yearly for the tobacco, to begin at Michaelmas, as it now is, and 3000l. increase, if the plantations here within land be restrained.

(*c*) Harl. MSS. Vol. 7006.

To the Marquis of BUCKINGHAM.

My very good Lord,

I ACQUAINTED this day the bearer with his majesty's pleasure touching Lake's (*a*) submission; which, whether it should be done in person, or in writing, his majesty signified his will thus, that it should be spared in open court, if my lady of Exeter should consent, and the board think fit. The board liked it well, and appointed my lord Digby and secretary Calvert to speak with my lady, who returned her answer in substance, that she would, in this and all things, be commanded by his majesty: but if his majesty left it to her liberty and election, she humbly prayed to be excused. And though it was told her, that this answer would be cause, that it could not be performed this term; yet she seemed willing rather it should be delayed, than dispensed with.

This day, also Traske (*b*), in open court, made a retractation of his wicked opinions in writing. The form was as good as may be. I declared to him,

(*a*) Sir Thomas Lake's.

(*b*) John Traske, a minister, who was prosecuted in the Star-Chamber for maintaining, as we find mentioned in the *Reports* of the lord chief justice Hobart, p. 236, that the Jewish Sabbath ought to be observed, and not ours; and that we ought to abstain from all manner of swines flesh, and those meats which the Jews were forbidden in Leviticus, according to bishop Andrews, in his speech, in the Star-Chamber on that occasion, printed among his lordship's works. Mr. Traske being examined in that court, confessed, that he had divulged those opinions, and had laboured to bring as many to them as he could; and had also written a letter to the king, wherein he seemed to tax his majesty with hypocrisy, and expressly inveighed against the bishops high commissioners, as bloody and cruel in their proceedings against him and a papal clergy. He was sentenced to fine and imprisonment, not for holding those opinions, for those were examinable in the Ecclesiastical Court, and not there, but for making of conventicles and commotions, and for scandalizing the king, the bishops, and clergy. Dr. Fuller, in his *Church History of Britain*, Book X. p. 77. § 64. mentions his having heard Mr. Traske preach, and remarks, that his *voice had more strength than any thing else he delivered;* and that after his recantation he relapsed, not into the same, but other opinions, *rather humorous than hurtful*, and died obscurely at Lambeth in the reign of king Charles I.

that this court was the judgment-seat; the mercy-seat was his majesty: but the court would commend him to his majesty: and I humbly pray his majesty to signify his pleasure speedily, because of the misery of the man; and it is a rare thing for a sectary, that hath once suffered smart and shame, to turn so unfeignedly, as he seemed to do.

God ever bless and keep you.

Your most obliged friend and faithful servant,

December 1, 1619. Fr. Verulam, *Canc.*

To the Marquis of Buckingham.

My very good Lord,

ON Friday I left London, to hide myself at Kew; for two months and a half together to be strong-bent is too much for my bow. And yet, that the king may perceive, that in my times of leisure I am not idle, I took down with me Sir Giles Mompesson (*a*), and with him I have quietly conferred of that proposition which was given me in charge by his majesty, and after seconded by your lordship. Wherein I find some things I like very well, and some other that I would set by. And one thing is much to my liking, that the proposition for bringing in his majesty's revenue with small charge is no invention, but was on foot heretofore in king Philip's and queen Mary's time, and had a grave and mighty opinion for it. The rest I leave to his relation, and mine own attendance.

I hope his majesty will look to it, that the fines now to come in may do him most good. Both causes produce fines of one hundred and fourscore thousand

(*a*) Who in the parliament, which began January 30, 1620-1, was sentenced to be degraded and rendered incapable of bearing any office, for practising several abuses, in setting up new inns and ale-houses, and exacting great sums of money of the people, by pretence of letters patents granted him for that purpose. But he fled into foreign parts, finding himself abandoned by the marquis of Buckingham, on whom he had depended for protection.

pounds, whereof one hundred thousand may clear the anticipations, and then the assignations may pass under the great seal, to be inrollable; so as we shall need to think of nothing but the arrears in a manner, of which I wish the 20,000l. to the strangers, with the interest, be presently satisfied. The remain may serve for the king's present and urgent occasions. And if the king intend any gifts, let them stay for the second course, for all is not yet done, but nothing out of these, except the king should give me the 20,000l. I owe Peter Vanlore out of his fine, which is the chief debt I owe. But this I speak merrily. I ever rest

Your Lordship's most obliged friend and faithful servant,

Kew Decem. 12, 1619. Fr. Verulam, *Canc.*

After I had written this letter, I received from your lordship, by my servant, his majesty's acceptation of my poor services; for which I pray your lordship to present to his majesty my most humble thanks. I have now other things in my mind for his majesty's service, that no time be lost.

To the Lord Chancellor (*a*).

My honourable Lord,

HIS majesty hath been pleased, out of his gracious care of Sir Robert Killigrew, to refer a suit of his, for certain concealed lands, to your lordship and the rest of the commissioners for the treasury; the like whereof hath been heretofore granted to many others. My desire to your lordship is, that he being a gentleman, whom I love and wish very well unto, your lordship would shew him, for my sake, all the favour you can, in furthering his suit. Wherein your lordship shall do me a courtesy, for which I will ever rest

Your Lordship's faithful friend and servant,

Royston, December 25, 1619. G. Buckingham.

(*a*) Harl. MSS. Vol. 7006.

To the Lord CHANCELLOR (*a*).

My honourable Lord,

I HAVE acquainted his majesty with your letter, who for that business, whereof Mr. Chancellor of the exchequer brought the message to his majesty to Theobalds, returned the answer by him.

As for that, whereof Sir Giles Mompesson spake to your lordship, his majesty liketh very well, and so do all others, with whom his majesty hath spoken of it; and therefore he recommendeth it to your care, not doubting but your lordship will give all your furtherance to it, being your own work, and so much concerning his majesty's honour and profit; and will speak farther with your lordship of it at his return to London.

For those other businesses of the Star-Chamber, which his majesty hath recommended to your lordship, he hopeth you will keep the clock still going, his profit being so much interested therein, especially seeing Mr. Chancellor of the exchequer (*b*) hath promised his majesty, that he will be no more sick, whereby you shall have this comfort, that the burden will not lie upon your lordship alone.

The little leisure I had at Theobalds made me bring your man down hither for this answer, which I hope your lordship will excuse; and ever hold me for

Your Lordship's faithful friend and servant,

Royston, Jan. 19. G. BUCKINGHAM.

Indorsed, 1619.

(*a*) Harl. MSS. Vol. 7006.

(*b*) Sir Fulke Greville, who surrendered that office in September, 1621, being succeeded in it by Sir Richard Weston. He had been created lord Brooke of Beauchamp's Court, Jan. 9, 1620-1.

To the Marquis of Buckingham.

My very good Lord,

IN the midst of business, as in the midst of a way, one should not stay long, especially when I crave no direction, but only advertise.

This day we met about the commission, the commonwealth's commission, for the poor and vagabonds, &c. We have put it into an exceeding good way, and have appointed meetings once in fourteen days, because it shall not be a-slack. I was glad to hear from the two chief justices, that whatsoever appears in the country to come from *primum mobile*, that is, the king's care, works better than if it came from the law. Therefore we have ordered, that this commission shall be published in the several circuits in the charges of the judges. For the rest hereafter.

For the proposition of Sir Giles Mompesson, we have met once. Exchequer-men will be exchequer-men still; but we shall do good.

For the account, or rather imparting, of the commissioners of treasury to the council, I think it will but end in a compliment. But the real care, and I hope good purpose, I will not give over, the better because I am not alone.

For the Star-Chamber business, I shall, as you write, keep the clock on going, which is hard to do, when sometimes the wheels are too many, and sometimes too few. But we shall do well, especially if those, whom the king hath hitherto made bond-men (I mean, which have given bonds for their fines) he do not hereafter make free-men.

For Suffolk's business it is a little strange, that the attorney made it a question to the commissioners of treasury, whether Suffolk should not be admitted to the lease of the extent of his own land, which is the way to encourage him not to pay his fine. But when it was told him, that the contrary course was held with the earl of Northumberland, and that

thereby he was brought to agree for his fine; then he turned, as his manner is.

For the errors, we have yet so much use of the service of Sir Henry Britten in bringing in the fines, indeed more than of the attorney, as, we cannot, without prejudice to his majesty's service, enter yet into them; and besides, Sir Edward Coke comes not abroad.

Mr. Kirkham hath communicated with me, as matter of profit to his majesty, upon the coals referred by his majesty to us of the treasury, wherein I hope we shall do good, the rather, because I am not alone.

The proclamation for light gold, Mr. Secretary Calvert, I know hath sent to his majesty; and therefore of that I say no more.

For the raising of silver by ordinance, and not by proclamation, and that for the time to come, we have given order to finish it. I hear a whispering, that thereupon the commissioners of the navy, the officers of the houshold, the wardrobe, may take occasion to break the book and the undertakings, because the prices may rise; which I thought good to signify to his majesty. And to speak plainly, I fear more the pretence, than the natural effect. God evermore preserve your lordship. I rest

Your lordship's most obliged friend,

and faithful servant,

Jan. 20, 1619. Fr. Verulam, *Canc.*

To the Lord Chancellor (*a*).

My honourable Lord,

I HAVE acquainted his majesty with your letter, who is very well pleased therewith, finding in you a continual care of his service. In that point of the Star-

(*a*) Harl. MSS. Vol. 7006.

Chamber business, his majesty saith, there is a mistaking; for he meant not the Dutchmens' business, but that motion, which your lordship made unto him, of sitting in the Star-Chamber about the commissions, which he had not leisure to read till he came down to Royston, and hath reason to give you thanks for it, desiring you to prepare it, and study the point, of which he will speak more with you at his return to London, being a matter worthy your thinking on, and his majesty's practice.

For the last point of your letter, his majesty saith, it cannot but proceed of malice, that there should be any such plot, which he will not endure, but he will account those, that whisper of it in that sort, enemies of his service; and will put them out of their places, that practice it. And so I rest

Your lordship's faithful friend and servant,

Newmarket, Jan. 22, 1619. G. BUCKINGHAM.

To Mr. Secretary CALVERT (*a*).

Mr. Secretary,

I HAVE received your letter of the 3d of this present, signifying his majesty's pleasure touching Peacock's (*b*) examinations, of which I will have special care.

My lord Coke is come to town, and hath sent me word, he will be with me on Monday, though he be somewhat lame. Howsoever, the service shall be done.

I was made acquainted, by your letter to secretary Naunton, with his majesty's dislike of the sending to him of the jolly letter from Zealand. I will now speak for myself, that, when it was received, I turned

(*a*) Harl. MSS. Vol. 7006.

(*b*) He was a minister of the University of Cambridge. He was committed to the Tower, for pretending that he had, by sorcery, infatuated the king's judgment in the cause of Sir Thomas Lake. *Camd. Annal. Regis Jacobi I.* p. 54.

to the master of the Wards (*c*), and said, " Well, I " think you and I shall ever advise the king to do " more for a Burlamachi, when he seeketh to his ma- " jesty by supplication and supplying the king at the " first word, than for all the rest upon any bravados " from the Burgo-masters of Holland and Zea- " land ;" Who answered very honestly, that it was in the king's power to make them alter their style when he would. But when another of us said, we could not but in our own discharge send the king the letter, *scilicet negandum non fuit;* though indeed my way is otherwise.

I have at last recovered from these companions, Harrison and Dale, a copy of my lord of Bangor's (*d*) book, the great one, and will presently set in hand the examinations. God keep you.

Your assured friend,

Feb. 5, 1612. FR. VERULAM, *Canc.*

To the KING.

May it please your Majesty,

SIR Edward Coke is now a-foot, and, according to your command, signified by Mr. secretary Calvert, we proceed in Peacock's examinations. For although there have been very good diligence used, yet certainly we are not at the bottom; and he, that would not use the utmost of his line to sound such a business as this, should not have due regard, neither to your majesty's honour nor safety.

(*c*) Sir Lionel Cranfield.

(*d*) Dr. Lewis Bayly, born at Caermarthen, in Wales, and educated in Exeter College, Oxford. He had been minister of Evesham, in Worcestershire, and chaplain to prince Henry, and rector of St. Matthew's, Friday-street, in London. He was promoted to the bishoprick of Bangor in 1616. On the 15th of July, 1621, he was committed to the Fleet, but on what account is not related by Camden, *Annales Regis Jacobi I.* p. 72. who mentions the circumstance of the bishop's imprisonment; but that he was soon after set at liberty. He was the author of the well-known book, *the Practice of Piety.*

A man would think he were in Luke Hutton's case again; for as my lady Roos personated Luke Hutton, so, it seemeth, Peacock personateth Atkins. But I make no judgment yet, but will go on with all diligence: and, if it may not be done otherwise, it is fit Peacock be put to torture. He deserveth it as well as Peacham did.

I beseech your majesty not to think I am more bitter, because my name is in it; for, besides that I always make my particular a cypher, when there is question of your majesty's honour and service, I think myself honoured for being brought into so good company. And as, without flattery, I think your majesty the best of kings, and my noble lord of Buckingham the best of persons favoured; so I hope, without presumption, for my honest and true intentions to state and justice, and my love to my master, I am not the worst of chancellors.

God ever preserve your majesty.

Your Majesty's most obliged

and most obedient servant,

Feb. 10, 1619. FR. VERULAM, *Canc.*

To the Lord CHANCELLOR.

Most honoured Lord,

I PRESUME, now after term, if there be any such thing as an after-term with your lordship, to offer this inclosed paper (*a*) to your sight, concerning the duke of Lerma; which, if your lordship have not already read, will not, I think, be altogether unpleasing, because it is full of particular circumstances. I know not how commonly it passeth up and down more or less. My friend, Mr. Gage, sent it me lately out of Spain. But howsoever I build upon

(*a*) I have, out of a ragged hand in Spanish, translated it, and accompanied it with some marginal notes, for your lordship's greater ease. Note of Mr. Matthew.

a sure ground; for though it should be vulgar, yet for my desire to serve your lordship, I cannot demerit so much, as not to deserve a pardon at your lordship's most noble hand.

Before the departure of the duke of Lerma from that court, there was written upon the gate for a pasquinade, that the house was governed *por el Padre, y el Hijo, y un Santo;* as in Paris about the same time was written upon the Louvre-Gate, *C'est icy l'hostel des troys Roys;* for Luynes's brother is almost as great as himself. But the while there is good store of kings now in Christendom, though there be one fewer than there was.

In Spain there are very extraordinary preparations for a great armada. Here is lately in this court a current speech, as that the enterprise, whatsoever it should have been, is laid wholly aside: but that were strange. Yet this is certain, that the forces of men, to the number of almost two thousand, which were to have gone into Spain from hence, are discharged, together with some munition, which was also upon the point of being sent. Another thing is also certain, that both in the court of Spain and this, there is at this time a strange straitness of money; which I do not conceive, for my part, to proceed so much from want, as design to employ it. The rendezvous, where the forces were to meet, was at Malaga within the straits; which makes the enterprise upon Algiers most likely to be intended. For I take that to be a wild conceit, which thinks of going by the Adriatic *per far in un Viaggio duoi servitii;* as the giving a blow to Venice, and the landing of forces in aid of the King of Bohemia about Trieste.

Perhaps the king of Spain would be glad to let the world see, that now he is *hors de paye;* and by shewing himself in some action, to intitle the duke of Lerma to all his former sloth; or perhaps he now makes a great preparation, upon the pretence of some enterprise, that he will let fall, that so he may with the less noise assemble great forces some other year, for some other attempt not spoken of now.

My lord Compton (*b*) is in this court, and goes shortly towards Italy. His fashion is sweet, and his disposition noble, and his conversation fair and honest.

Diego, my lord Roos's man, is come hither. I pray God it be to do me any good towards the recovery of the debt his lord owes me.

Most honoured lord, I am here at good leisure to look back upon your lordship's great and noble goodness towards me, which may go for a great example in this age; and so it doth. That, which I am sure of, is, that my poor heart, such as it is, doth not only beat, but even boil in the desires it hath to do your lordship all humble service.

I crave leave, though it be against good manners, that I may ever present my humblest service to my most honoured lady, my lady Verulam, and lady Constable, with my best respects to my dear friend, Sir John Constable; who, if your lordship want the leisure, would perhaps cast an eye upon the inclosed paper.

I do, with more confidence, presume to address this other letter to Mr. Meautys, because the contents thereof concern your lordship's service.

I beseech sweet Jesus to make and keep your lordship intirely happy. So I humbly do you reverence, remaining ever

Your Lordship's most obliged servant,

TOBIE MATTHEW.

POST. I should be glad to receive some of your lordship's philosophical labours, if your lordship could so think fit. I do now receive a letter from the Conde de Gondomar, who, thinking that it should find me in England, saith thus: *Beso las manos mil vezes a mi sennor, el sennor Gran Chancilor, con my coracon;*

(*b*) Spencer, lord Compton, only son of William, earl of Northampton. This nobleman, who succeeded his father in his title and estate, in June 1630, was killed at Hopton-Heath, near Stafford, on Sunday, March 19, 1642-3, fighting for King Charles I.

como estoy en su buena gracia. The empress is dead long since, and the emperor is so sickly, or rather so sick, that they forbear to bury her with solemnity, as conceiving, that he will save charge by dying shortly. They say here, that the business of Bohemia is growing towards an end by composition.

Brussels, this 14th of Feb. 1619.

To the Marquis of Buckingham.

My very good Lord,

FOR the services committed to Sir Lionel Cranfield, after his majesty hath spoken with him, I shall attend and follow his majesty's pleasure and directions, and yield my best care, advice, and endeavour for performance.

In the pretermitted duty I have some profit, and more was to have had if queen Anne had lived. Wherefore I shall become an humble suitor to his majesty, that I may become no loser, specially seeing the business had been may a time and oft quite overthrown, if it had not been upheld only, or chiefly, by myself; so that whatsoever service hath been since done, is upon my foundation.

Mr. Attorney (*a*) groweth pretty pert with me of late; and I see well who they are that maintain him. But be they flies, or be they wasps, I neither care for buzzies nor stings, most especially in any thing, that concerneth my duty to his majesty, or my love to your lordship.

I forgot not, in my public charge, the last Star-Chamber-day, to publish his majesty's honour for his late commission for the relief of the poor, and suppressing vagabonds; as also his gracious intention touching informers, which, I perceive, was received with much applause. That of projectors I spake not of, because it is not yet ripe, neither doth it concern the

(*a*) Sir Henry Yelverton.

execution of any law, for which my speech was proper. God ever preserve and prosper you.

Your Lordship's most obliged friend,

and faithful servant,

February 17, 1619. FR. VERULAM, *Canc.*

To the Marquis of BUCKINGHAM.

My very good Lord,

I SEND, by post, this sealed packet, containing my lord of Suffolk's answer in the Star-Chamber. I received it this evening at six of the clock, by the hands of the master of the Rolls (*a*), sealed as it is with my lord of Suffolk's seal, and the master's of the Rolls. But neither I, nor the master of the Rolls, know what is in it; but it cometh first to his majesty's sight. Only I did direct, that because the authentic copy, unto which my lord is sworn, according to the course of the court, is not so fit for his majesty's reading, my lord of Suffolk should send withal a paper copy, which his majesty might read with less trouble.

My lady Suffolk is so ill of the small-pox, as she is not yet fit to make any answer.

Bingley's (*b*) answer is come in, a long one; and, as I perceive, with some things impertinent, yea, and unfit. Of that I confer with Mr. Solicitor (*c*) to-morrow; and then I will farther advertise your lordship.

God ever preserve and prosper you.

Your Lordship's most obliged friend,

and faithful servant,

York-house, this 23d of Feb. 1619, at 9 of the clock [1619-20.] FR. VERULAM, *Canc.*

(*a*) Sir Julius Cæsar. (*b*) Sir John Bingley's.
(*c*) Sir Thomas Coventry.

To the Lord CHANCELLOR.

Most honoured Lord,

I DO even now receive this letter from the Conde de Gondomar, with direction I should send it, since I am not there to deliver it, to Mr. Wyche, that so he may present it to your lordship's hand at such time, as it may be of most use to him. He commands me besides, that for his sake I should become a humble solicitor to your lordship for this friend of his, which I presume to do the more willingly, because this party is a great friend of mine, and so are also many of his friends my friends. Besides he wills me to represent his great thanks to your lordship, for the just favours you have been pleased to vouchsafe to Mr. Wyche already, the rather in contemplation of the Conde, as he hath been informed. And if in the company, or rather in the attendance, of so great an intercessor, it be not an unpardonable kind of ill manners to intrude myself, I presume to cast myself at your lordship's feet, with protestation, that I shall be very particularly bound to your lordship's goodness for any favour, with justice, that he shall obtain.

I beseech Jesus keep your lordship ever intirely happy; and so doing all humble reverence, I take leave.

Your Lordship's most humble

and most obliged servant,

Brussels,
this 26th of Feb. 1619. TOBIE MATTHEW.

To the Lord CHANCELLOR (*a*).

My honourable Lord,

UNDERSTANDING, that there hath been a long and tedious suit depending in the chancery between Robert D'Oyley and his wife, plaintiffs, and Leonard

(*a*) Harl. MSS. Vol. 7006.

Lovace, defendant; which cause hath been heretofore ended by award, but is now revived again, and was, in Michaelmas term last, fully heard before your lordship; at which hearing your lordship did not give your opinion thereof, but were pleased to defer it, until breviats were delivered on both sides; which, as I am informed, hath been done accordingly: now my desire unto your lordship is, that you will be pleased to take some time, as speedily as your lordship may, to give your opinion thereof, and so make a final end, as your lordship shall find the same in equity to deserve. For which I will ever rest

Your Lordship's faithful friend and servant,

Windsor, May 18, 1620. G. Buckingham.

To the Marquis of Buckingham.

My very good Lord;

I WENT to Kew for pleasure, but I met with pain. But neither pleasure nor pain can withdraw my mind from thinking of his majesty's service. And because his majesty shall see how I was occupied at Kew, I send him these papers of rules for the Star-Chamber, wherein his majesty shall erect one of the noblest and durablest pillars for the justice of this kingdom in perpetuity, that can be, after, by his own wisdom, and the advice of his lords, he shall have revised them, and established them. The manner and circumstances I refer to my attending his majesty. The rules are not all set down; but I will do the rest within two or three days. I ever remain

Your Lordship's most obliged friend
and faithful servant,

June 9, 1620. Fr. Verulam, *Canc.*

To the Lord CHANCELLOR (*a*).

My very good Lord,

SUCH is my haste at this time, that I cannot write so largely to yourself, as I would, in the business of the steel, in which once already I sent to your lordship, and in which I only desire the good of the commonwealth, and the service of my master. I therefore have sent this bearer, my servant, unto you, and committed the relation of the business to him. And I do intreat your lordship to give credit to what he shall deliver your lordship therein, with your lawful assistance of my desires; wherein I doubt not but you shall do a very good office. And I shall rest ready to requite your courtesy; and, with my best wishes, continue

Your very loving friend,

Egham, July 6, 1620.

G. BUCKINGHAM.

Indorsed,

My Lord Marquis in the behalf of his servant, Mr. Porter, and Mr. Dallington.

To the Lord CHANCELLOR (*b*).

My honourable Lord,

HIS majesty having made a reference of business to your lordship, concerning Sir Robert Douglas and Mr. David Ramsey, two of his highness's servants, whom he loveth, and whom I wish very well unto; I have thought fit to desire you to shew them all the favour your lordship may therein, which I will acknowledge, and ever rest

Your Lordship's faithful friend and servant,

Farnham, the last of August, 1620.

G. BUCKINGHAM.

(*a*) Harl. MSS. Vol. 7000. (*b*) Ibid.

The reference comes in the name of my brother Christopher, because they thought it would succeed the better: but the prince wisheth well to it.

Indorsed,

Touching the business of wills.

To the KING (*a*).

AMONGST the counsels, which, since the time I had the honour to be first of your learned, and after of your privy council, I have given your majesty faithfully, according to my small ability; I do take comfort in none more, than that I was the first, that advised you to come in person into the Star-Chamber; knowing very well, that those virtues of your majesty, which I saw near hand, would out of that throne, both as out of a sphere, illustrate your own honour, and, as out of a fountain, water and refresh your whole land. And because your majesty, in that you have already done, hath so well effected that, which I foresaw and desired, even beyond my expectation; it is no marvel, if I resort still to the branches of that counsel, that hath borne so good fruit.

The Star Chamber, in the institution thereof, hath two uses; the one as a supreme court of judicature; the other as an open council. In the first kind, your majesty hath sat there now twice: the first time, in a cause of force, concerning the duels; the second time, in a cause of fraud, concerning the forgeries and conspiracies against the lady of Exeter; which two natures of crimes, force and fraud, are the proper objects of that court.

In the second kind, your majesty came the first time of all, when you did set in frame and fabric the

(*a*) This letter appears to have been written after the proceedings against Sir Thomas Lake, and his lady and daughter, in the Star-Chamber, in January 1619-20, and before the resolution of calling the parliament, which met January 30, 1620-1.

several jurisdictions of your courts. There wants a fourth part of the square to make all complete, which is, if your majesty will be pleased to publish certain commonwealth commissions; which, as your majesty hath well begun to do in some things, and to speak of in some others; so, if your majesty will be pleased to make a solemn declaration of them in that place, this will follow:

First, that your majesty shall do yourself an infinite honour, and win the hearts of your people to acknowledge you, as well the most politic king, as the most just.

Secondly, it will oblige your commissioners to a more strict account, when they shall be engaged by such a public charge and commandment. And, thirdly, it will invite and direct any man, that finds himself to know any thing concerning those commissions, to bring in their informations. So as I am persuaded it will eternise your name and merit, and that king James's commissions will be spoken of, and put in ure, as long as Britain lasts; at the least, in the reign of all good kings.

For the particulars, besides the two commissions of the navy, and the buildings about London, wherein your majesty may consider, whether you will have any thing altered or supplied, I wish these following to be added.

Commission for advancing the clothing of England, as well the old drapery as the new, and all the incidents thereunto.

Commission for staying treasure within the realm, and the reiglement of monies.

Commission for the provision of the realm with corn and grain, and the government of the exportation and importation thereof; and directing of public granaries, if cause be.

Commission for introducing and nourishing manufactures within the realm, for the setting people a-work, and the considering of all grants and privileges of that nature.

Commission to prevent the depopulation of towns

and houses of husbandry, and for nuisances and highways.

Commission for the recovery of drowned lands.

Commission for the suppression of the grievances of informers.

Commission for the better proceedings in the plantations of Ireland.

Commission for the provision of the realm with all kind of warlike defence, ordnance, powder, munition, and armour.

Of these you may take and leave, as it shall please you: and I wish the articles concerning every one of them, first allowed by your council, to be read openly, and the commissioners names.

For the good, that comes of particular and select committees and commissions, I need not commonplace, for your majesty hath found the good of them; but nothing to that, that will be, when such things are published; because it will vindicate them from neglect, and make many good spirits, that we little think of, co-operate in them.

I know very well, that the world, that commonly is apt to think, that the care of the commonwealth is but a pretext in matters of state, will perhaps conceive, that this is but a preparative to a parliament. But let not that hinder your majesty's magnanimity, *in opere operato*, that is so good; and besides that opinion, for many respects, will do no hurt to your affairs.

To the Lord Chancellor (*a*).

My very good Lord,

BY his majesty's directions, Sir Francis Blundell will deliver you a petition of Sir Francis Annesly, his majesty's secretary of Ireland, with his majesty's pleasure thereupon. To the gentleman I wish very well,

(*a*) Harl. MSS. Vol. 7006.

and do therefore recommend him and his cause to your lordship's good favour; and your respect of him, in his absence, I will thankfully acknowledge. So I take my leave.

Your Lordship's very loving friend,

G. BUCKINGHAM.

Theobalds, the 2d of Oct. 1620.

To the KING.

It may please your most excellent Majesty,

IT being a thing to speak or write, specially to a king, in public, another in private, although I have dedicated a work (*a*), or rather a portion of a work, which, at last, I have overcome, to your majesty by a public epistle, where I speak to you in the hearing of others; yet I thought fit also humbly to seek access for the same, not so much to your person as to your judgment, by these private lines.

The work, in what colours soever it may be set

(*a*) *Novum Organum.* In the library of the late Thomas, earl of Leicester, the descendant of Sir Edward Coke, at Holkham, in Norfolk, is a copy of this work, intitled *Instauratio Magna*, printed by John Bill, in 1620, presented to Sir Edward, who at the top of the title page has written, *Edw. C. ex dono auctoris.*

Auctori Consilium.
Instaurare paras veterum documenta sophorum:
Instaura Leges Justitiamq; prius.

And over the device of the ship passing between Hercules's Pillars, Sir Edward has written the two following verses:

" It deserveth not to be read in Schooles,
" But to be freighted in the *Ship of Fools.*"

Alluding to a famous book of Sebastian Brand, born at Strasburgh, about 1460, written in Latin and High Dutch verse, and translated into English in 1508, by Alexander Barklay, and printed at London the year following, by Richard Pynson, printer to Henry VII. and Henry VIII. in folio, with the following title: " The Shyp of Folys " of the World: Translated in the Coll. of Saynt Mary Otery, " in the counte of Devonshyre, oute of Latin, Frenche, and Doche, " into Englesshe tongue, by Alex. Barklay, preste and chaplen in " the sayd College, M,CCCCC,VIII." It was dedicated by the translator to Thomas Cornish, bishop of Tine, and suffragan bishop of Wells, and adorned with great variety of wooden cuts.

forth, is no more but a new logic, teaching to invent and judge by induction, as finding syllogism incompetent for sciences of nature; and thereby to make philosophy and sciences both more true and more active.

This tending to enlarge the bounds of reason, and to endow man's estate with new value, was no improper oblation to your majesty, who, of men, is the greatest master of reason, and author of beneficence.

There be two of your council, and one other bishop (*b*) of this land, that know I have been about some such work near thirty years (*c*); so as I made no haste. And the reason why I have published it now, specially being unperfect, is, to speak plainly, because I number my days, and would have it saved. There is another reason of my so doing, which is to try whether I can get help in one intended part of this work, namely, the compiling of a natural and experimental history, which must be the main foundation of a true and active philosophy.

This work is but a new body of clay, whereinto your majesty, by your countenance and protection, may breathe life. And, to tell your majesty truly what I think, I account your favour may be to this work as much as an hundred years time: for I am persuaded the work will gain upon mens minds in ages, but your gracing it may make it take hold more swiftly; which I would be very glad of, it being a work meant not for praise or glory, but for practice, and the good of men. One thing, I confess, I am ambitious of, with hope, which is, that after these beginnings, and the wheel once set on going, men shall

(*b*) Dr. Launcelot Andrews, bishop of Winchester.

(*c*) Mr. Chamberlain, in a letter to Sir Dudley Carleton, ambassador at Holland, dated at London, October 28, 1620, mentions, that Mr. Henry Cuffe, who had been secretary to Robert, earl of Essex, and executed for being concerned in his treasons, *having long since perused* this work, *gave this censure, that a fool could not have written such a work, and a wise man would not.* And, in another letter, dated Feb. 3, 1620-1, Mr. Chamberlain takes notice, that the king could not forbear sometimes, in reading that book, to say, that it *was like the peace of God, that passeth all understanding.*

seek more truth out of christian pens, than hitherto they have done out of heathen. I say with hope; because I hear my former book of the *Advancement of Learning*, is well tasted in the universities here, and the English colleges abroad: and this is the same argument sunk deeper.

And so I ever humbly rest in prayers, and all other duties,

Your Majesty's most bounden

and devoted servant,

York-house, this 12th of Oct. 1620. FR. VERULAM, *Canc.*

To the Lord CHANCELLOR (*a*).

My honourable Lord,

THERE is a business in your lordship's hands, with which Sir Robert Lloyd did acquaint your lordship; whereof the prince hath demanded of me what account is given. And because I cannot inform his highness of any proceeding therein, I desire your lordship to use all expedition that may be, in making your answer to me, that I may give his highness some satisfaction, who is very desirous thereof. And so I rest

Your Lordship's faithful friend and servant,

Royston, 14th of October, 1620. G. BUCKINGHAM.

Indorsed,

Touching the register of wills,

To the Lord CHANCELLOR (*b*).

My honourable Lord,

I DESIRE your lordship to continue your favour to Sir Thomas Gerrard, in the business concerning him, wherein I signified his majesty's pleasure to your lord-

(*a*) Harl. MSS. Vol. 7000. (*b*) Ibid.

ship. And one favour more I am to intreat of your lordship in his behalf, that you will be pleased to speak to one of the assistants of the chancellor of the duchy, in whose court he hath a cause depending, as he will more fully inform your lordship himself, to see that he may have a fair proceeding, according to justice; for which I will ever rest

Your Lordship's faithful friend and servant,

Royston, 15th of October, 1620. G. BUCKINGHAM.

To the Marquis of BUCKINGHAM.

My very good Lord,

YOUR lordship desiring to understand what cometh of the business, after which the prince hearkeneth, I was in doubt which of the two businesses you meant; that of the Duchy or that of the Prerogative-Court for wills; for both are recommended from the prince. But be it one, or be it the other, no time hath been lost in either; for Mr. Secretary Naunton and I have entered into both. For the Duchy, we have already stayed all proceeding to the king's disservice for those manors, which are not already passed under seal. For that which is passed, we have heard the Attorney (*a*) with none or little satisfaction hitherto. The Chancellor (*b*) is not yet come, though sent for. For the other, we have heard Sir John Bennet (*c*), and given him leave to acquaint my lord of Canterbury; and have required the Solicitor (*d*) to come well prepared for the king. So that in neither we can certify yet; and to

(*a*) Sir Henry Yelverton.

(*b*) Sir Humphrey May, made chancellor of the duchy, March 9, 1617-8.

(*c*) Judge of the Prerogative-Court of Canterbury. In 1621 he was fined 20,000l. for bribery, corruption, and exaction in that office. He died in 1627.

(*d*) Sir Thomas Coventry.

trouble your lordship while business is but in passage, were time lost. I ever rest

Your Lordship's most obliged friend
and faithful servant,

October 16, 1620. FR. VERULAM, *Canc.*

To the KING, thanking his Majesty for his gracious acceptance of his book.

May it please your Majesty,

I CANNOT express, how much comfort I received by your last letter of your own royal hand (*a*). I see your majesty is a star, that hath benevolent aspect and gracious influence upon all things that tend to a general good.

Daphni, quid antiquos signorum suspicis ortus?
Ecce Dionæi processit Cæsaris astrum;
Astrum, quo segetes gauderent frugibus, et quo
Duceret apricis in collibus uva colorem (*b*).

This work, which is for the bettering of mens bread and wine, which are the characters of temporal blessings and sacraments of eternal, I hope, by God's holy providence, will be ripened by Cæsar's star.

Your majesty shall not only do to myself a singular favour, but to your business a material help, if you will be graciously pleased to open yourself to me in those things wherein you may be unsatisfied. For though this work, as by position and principle, doth disclaim to be tried by any thing but by experience, and the results of experience in a true way; yet the sharpness and profoundness of your majesty's judgment ought to be an exception to this general rule; and your questions, observations, and admonishments, may do infinite good.

(*a*) Of the 16th of October, 1620, printed in Lord Bacon's works.

(*b*) Virgil, *Eclog. IX. vers.* 46—50.

This comfortable beginning makes me hope farther, that your majesty will be aiding to me, in setting men on work for the collecting of a natural and experimental history; which is *basis totius negotii*, a thing which I assure myself will be, from time to time, an excellent recreation unto you; I say, to that admirable spirit of yours, that delighteth in light: and I hope well, that even in your times, many noble inventions may be discovered for man's use. For who can tell, now this mine of truth is opened, how the veins go; and what lieth higher, and what lieth lower? But let me trouble your majesty no farther at this time. God ever preserve and prosper your majesty.

[October 19, 1620.]

To the Marquis of Buckingham.

My very good Lord,

I SEND now only to give his majesty thanks for the singular comfort which I received by his majesty's letter of his own hand, touching my book. And I must also give your lordship of my best thanks, for your letter so kindly and affectionately written.

I did even now receive your lordship's letter touching the proclamation, and do approve his majesty's judgment and foresight about mine own. Neither would I have thought of inserting matter of state for the vulgar, but that now a-days there is no vulgar, but all statesmen. But, as his majesty doth excellently consider, the time of it is not yet proper. I ever rest

Your Lordship's most obliged friend

and faithful servant,

October 19, 1620. Fr. Verulam, *Canc.*

Indorsed,

In answer to his majesty's directions touching the proclamation for a parliament.

Notes of a Speech of the Lord Chancellor in the Star-Chamber, in the cause of Sir Henry Yelverton, Attorney-General (*a*).

SORRY for the person, being a gentleman that I lived with in Gray's-Inn; served with him when I was attorney; joined with him in many services, and one, that ever gave me more attributes in public, than I deserved; and, besides, a man of very good parts, which with me is friendship at first sight; much more, joined with so antient an acquaintance.

But, as a judge, I hold the offence very great, and that without pressing measure; upon which I will only make a few observations, and so leave it.

1. First I observe the danger and consequence of the offence: for if it be suffered, that the learned council shall practise the art of multiplication upon their warrants, the crown will be destroyed in small time. The great seal, the privy seal, signet, are solemn things; but they follow the king's hand. It is the bill drawn by the learned council and the docquet, that leads the king's hand.

2. Next I note the nature of the defence. As first, that it was error in judgment: for this surely, if the offence were small though clear, or great, but doubtful, I should hardly sentence it. For it is hard to draw a straight line by steadiness of hand; but it could not be the swerving of the hand. And herein I note the wisdom of the law of England, which termeth the highest contempts and excesses of authority, *misprisions;* which, if you take the sound and derivation of the words, is but *mistaken:* but if you take the use and acceptation of the word, it is high and hainous contempts and usurpations of authority; whereof the

(*a*) He was prosecuted in the Star-Chamber, for having passed certain clauses in a charter, lately granted to the city of London, not agreeable to his majesty's warrant, and derogatory to his honour. But the chief reason of the severity against him was thought to be the marquis of Buckingham's resentment against him, for having opposed, according to the duty of his office, some oppressive, if not illegal, patents, which the projectors of those times were busy in preparing.

reason I take to be, and the name excellently imposed; for that main mistaking, it is ever joined with contempt; for he, that reveres, will not easily mistake; but he that slights, and thinks more of the greatness of his place than of the duty of his place, will soon commit misprisions.

Indorsed,

Star-Chamber, October 24, 1620. Notes upon Mr. Attorney's cause.

To the Marquis of BUCKINGHAM.

My very good Lord,

IT may be, your lordship will expect to hear from me what passed yesterday in the Star-Chamber, touching Yelverton's cause, though we desired secretary Calvert to acquaint his majesty therewith.

To make short, at the motion of the attorney, in person at the bar, and at the motion of my lord Steward (*a*) in court, the day of proceeding is deferred till the king's pleasure is known. This was against my opinion then declared plain enough; but put to votes, and ruled by the major part, though some concurred with me.

I do not like of this course, in respect that it puts the king in a strait; for either the note of severity must rest upon his majesty, if he go on; or the thanks of clemency is in some part taken away if his majesty go not on.

I have *cor unum et via una;* and therefore did my part as a judge and the king's chancellor. What is farther to be done, I will advise the king faithfully, when I see his majesty and your lordship. But before I give advice, I must ask a question first.

God ever preserve and prosper you.

Your Lordship's most obliged friend
and faithful servant,

October 28, 1620. FR. VERULAM, *Canc.*

(*a*) The duke of Lenox.

Lord Chancellor BACON to the Marquis of BUCKINGHAM*.

* From the collections of the late Robert Stephens, Esq.

My very good Lord,

YESTERNIGHT we made an end of Sir Henry Yelverton's cause. I have almost killed myself with sitting almost eight hours. But I was resolved to sit it through. He is sentenced to imprisonment in the Tower during the king's pleasure. The fine of 4000l. and discharge of his place, by way of opinion of the court, referring it to the king's pleasure. How I stirred the court, I leave it to others to speak; but things passed to his majesty's great honour. I would not for any thing but he had made his defence; for many chief points of the charge were deeper printed by the defence. But yet I like it not in him; the less because he retained Holt, who is ever retained but to play the fool. God ever prosper you.

Your Lordship's most obliged friend
and faithful servant,

11 Nov. 1620. FR. VERULAM, *Canc.*

To the KING.

It may please your most excellent Majesty,

IN performance of your royal pleasure, signified by Sir John Suckling (*a*), we have at several times considered of the petition of Mr. Christopher Villiers (*b*) and have heard, as well the registers and ministers of the Prerogative-Court of Canterbury, and their council, as also the council of the lord archbishop of Canterbury. And setting aside such other points, as are desired by the petition, we do think, that your majesty may by law, and without inconvenience, appoint an officer, that shall have the ingrossing of the transcripts

(*a*) He was afterwards comptroller of the houshold to king Charles I. and father of the poet of the same name.

(*b*) Youngest brother to the marquis of Buckingham. He was created, April 23, 1623, baron of Daventry and earl of Anglesey. He died September 24, 1624.

of all wills to be sealed with the seal of either of the Prerogative-Courts, which shall be proved *in communi formâ*; and likewise of all inventories, to be exhibited in the same courts.

We see it necessary, that all wills, which are not judicially controverted, be ingrossed before the probate. Yet, as the law now stands, no officer of those courts can lawfully take any fee or reward for ingrossing the said wills and inventories, the statute of the 21st of king Henry the VIIIth restraining them. Wherefore we hold it much more convenient, that it should be done by a lawful officer, to be appointed by your majesty, than in a cause not warrantable by law. Yet our humble opinion and advice is, that good consideration be had in passing this book, as well touching a moderate proportion of fees to be allowed for the pains and travel of the officer, as for the expedition of the suitor, in such sort, that the subject may find himself in better case than he is now, and not in worse.

But however we conceive this may be convenient in the two courts of prerogative, where there is much business, yet in the ordinary course of the bishops diocesans, we hold the same will be inconvenient, in regard of the small employment.

Your Majesty's most faithful
and obedient servants,

November 15, 1602.

Fr. Verulam, *Canc.*
Robert Naunton,
Henry Montagu (*c*).

To the Lord Chancellor (*a*).

AFTER my very hearty commendations, I have acquainted his majesty with your letter, who commanded me to tell you, that he had been thinking upon the same point, whereof you write, three or four

(*c*) Lord chief justice of the King's Bench, who, on the 3d of December following, was advanced to the post of lord high treasurer.

(*a*) Harl. MSS. Vol. 7000.

days ago, being so far from making any question of it, that he every day expected when a writ should come down. For at the creation of prince Henry, the lords of the council and judges assured his majesty of as much, as the precedents, mentioned in your letter, speak of. And so I rest

Your Lordship's very loving friend at command,

G. Buckingham.

Newmarket, the 24th of Novemb. 1620.

Indorsed,

Shewing his majesty is satisfied with precedents, touching the prince's summons to parliament.

To the Marquis of Buckingham.

My very good Lord,

YOUR lordship may find that in the number of patents, which we have represented to his majesty, as like to be stirred in by the lower house of parliament, we have set down three, which may concern some of your lordship's special friends, which I account as mine own friends; and so shewed myself, when they were in suit. The one, that to Sir Giles Mompesson, touching the inns; the second, to Mr. Christopher Villiers and Mr. Maule, touching the recognizances for ale-houses; the third, to Mr. Lieutenant of the Tower, touching the cask. These in duty could not be omitted, for that, specially the two first of them, are more rumoured, both by the vulgar, and by the gentlemen, yea, and by the judges themselves, than any other patents at this day. Therefore I thought it appertained to the singular love and affection, which I bear you upon so many obligations, to wish and advise, that your lordship, whom God hath made in all things so fit to be beloved, would put off the envy of these things, which I think in themselves bear no great fruit; and rather take the thanks for ceasing them, than the note for maintaining

them. But howsoever, let me know your mind, and your lordship shall find I will go your way.

I cannot express, how much comfort I take in the choice his majesty hath made of my lord chief justice to be lord treasurer; not for his sake, nor for my sake, but for the king's sake; hoping, that now a number of counsels, which I have given for the establishment of his majesty's estate, and have lain dead and deeper than this snow, may now spring up and bear fruit; the rather, for that I persuade myself, he and I shall run one way. And yet I know well, that in this doubling world *cor unum et via una* is rare in one man, but more rare between two. And therefore, if it please his majesty, according to his prudent custom in such cases, to cast out, now at his coming down, some words, which may the better knit us in conjunction to do him service, I suppose it will be to no idle purpose.

And as an old truant in the commission of the treasury, let me put his majesty in remembrance of three things now upon his entrance, which he is presently to go in hand with: the first, to make Ireland to bear the charge thereof; the second, to bring all accounts to one purse in the exchequer: the third, by all possible means to endeavour the taking off of the anticipations. There be a thousand things more; but these being his majesty's last commands to the commissioners of the treasury; with such as in his majesty's princely judgment shall occur, will do well to season his place.

Your Lordship's most obliged friend,
and faithful servant,

November 29, 1620. FR. VERULAM, *Canc.*

As soon as I had written this letter, I received your lordship's letter, touching my lord chief justice, which redoubled my comfort, to see how his majesty's thoughts and mine, his poor servant's, and your lordship's, meet.

I send inclosed names for the speaker; and if his majesty, or your lordship, demand our opinion, which

of them, my lord chief justice will tell you. It were well it were dispatched; for else I will not dine with the speaker; for his drink will not be laid in time enough.

I beseech your lordship, care may be taken, that our general letter may be kept secret, whereof my lord chief justice will tell you the reason.

To the KING.

It may please your most excellent Majesty,

ACCORDING to your commandment, we have heard once more the proctors of the Prerogative-Court, what they could say; and find no reason to alter, in any part, our former certificate. Thus much withal we think fit to note to your majesty, that our former certificate, which we now ratify, is principally grounded upon a point in law, upon the statute of 21 Henry VIII. wherein we the chancellor and treasurer, for our own opinions, do conceive the law is clear; and your solicitor general (*a*) concurs.

Now whether your majesty will be pleased to rest in our opinions, and so to pass the patents; or give us leave to assist ourselves with the opinion of some principal judges now in town, whereby the law may be the better resolved, to avoid farther question hereafter; we leave it to your majesty's royal pleasure. This we represent the rather, because we discern such a confidence in the proctors, and those upon whom they depend, as, it is not unlike, they will bring it to a legal question.

And so we humbly kiss your majesty's hands, praying for your preservation.

Your Majesty's most humble
and obedient servants,

York-house, December 12, 1620.

FR. VERULAM, *Canc.*
HENRY MONTAGU,
ROBERT NAUNTON.

(*a*) Sir Thomas Coventry, who was made attorney general, January 14, 1620-1.

The Lord CHANCELLOR and two Chief JUSTICES (*a*) to the Marquis of BUCKINGHAM.

Our very good Lord,

IT may please his majesty to call to mind, that when we gave his majesty our last account of parliament business in his presence, we went over the grievances of the last parliament in 7mo (*b*), with our opinion by way of probable conjecture, which of them are like to fall off, and which may perchance stick and be renewed. And we did also well acquaint his majesty, that we thought it no less fit to take into consideration grievances of like nature, which have sprung up since the said last session, which are the more like to be called upon, by how much they are the more fresh, signifying withal, that they were of two kinds; some proclamations and commissions, and many patents; which, nevertheless, we did not trouble his majesty withal in particular: partly, for that we were not then fully prepared, as being a work of some length, and partly, for that we then desired and obtained leave of his majesty to communicate them with the council table. But now since I, the chancellor, received his majesty's pleasure by secretary Calvert, that we should first present them to his majesty with some advice thereupon provisionally, and as we are capable, and thereupon know his majesty's pleasure before they be brought to the table, which is the work of this dispatch.

And hereupon his majesty may be likewise pleased to call to mind, that we then said, and do now also humbly make remonstrance to his majesty, that in this we do not so much express the sense of our own minds or judgments upon the particulars, as we do personate the lower house, and cast with ourselves

(*a*) Sir Henry Montagu of the King's Bench, and Sir Henry Hobart of the Common Pleas.

(*b*) That which began February 9, 1609; and was prorogued July 23, 1610.

what is like to be stirred there. And therefore if there be any thing, either in respect of the matter, or the persons, that stands not so well with his majesty's good liking, that his majesty would be graciously pleased not to impute it unto us; and withal to consider, that it is to this good end, that his majesty may either remove such of them, as in his own princely judgment, or with the advice of his council, he shall think fit to be removed; or be the better provided to carry through such of them, as he shall think fit to be maintained, in case they should be moved; and so the less surprised.

First, therefore to begin with the patents, we find three sorts of patents, and those somewhat frequent, since the session of 7mo, which *in genere* we conceive may be most subject to exception of grievance; patents of old debts, patents of concealments, and patents of monopolies, and forfeitures for dispensations of penal laws, together with some other particulars, which fall not so properly under any one head.

In these three heads, we do humbly advise several courses to be taken; for the first two, of old debts and concealments, for that they are in a sort legal, though there may be found out some point in law to overthrow them; yet it would be a long business by course of law, and a matter unusual by act of council, to call them in. But that, that moves us chiefly, to avoid the questioning them at the council-table, is, because if they shall be taken away by the king's act, it may let in upon him a flood of suitors for recompence; whereas, if they be taken away at the suit of the parliament, and a law thereupon made, it frees the king, and leaves him to give recompence only where he shall be pleased to intend grace. Wherefore we conceive the most convenient way will be, if some grave and discreet gentleman of the country, such as have lost relation to the court, make, at fit times, some modest motion touching the same; and that his majesty would be graciously pleased to permit some law to pass, for the time past only, no ways touching his majesty's regal power, to free the subjects from the same; and so

his majesty, after due consultation, to give way unto it.

For the third, we do humbly advise, that such of them, as his majesty shall give way to have called in, may be questioned before the council-table, either as granted contrary to his majesty's book of bounty, or found since to have been abused in the execution, or otherwise by experience discovered to be burdensome to the country. But herein we shall add this farther humble advice, that it be not done as matter of preparation to a parliament; but that occasion be taken, partly upon revising of the book of bounty, and partly upon the fresh examples in Sir Henry Yelverton's case of abuse and surreption in obtaining of patents; and likewise, that it be but as a continuance in conformity of the council's former diligence and vigilancy, which hath already stayed and revoked divers patents of like nature, whereof we are ready to shew the examples. Thus, we conceive, his majesty shall keep his greatness, and somewhat shall be done in parliament, and somewhat out of parliament, as the nature of the subject and business require.

We have sent his majesty herewith a schedule of the particulars of these three kinds; wherein, for the first two, we have set down all that we could at this time discover: but in the latter, we have chosen out but some, that are most in speech, and do most tend, either to the vexation of the common people, or the discountenancing of our gentlemen and justices, the one being the original, the other the representative of the commons.

There being many more of like nature, but not of like weight, nor so much rumoured, which, to take away now in a blaze, will give more scandal, that such things were granted, than thanks, that they be now revoked.

And because all things may appear to his majesty in the true light, we have set down, as well the suitors as the grants, and not only those, in whose names the patents were taken, but those, whom they concern, as far as comes to our knowledge.

For proclamations and commissions, they are tender things; and we are willing to meddle with them sparingly. For as for such, as do but wait upon patents, wherein his majesty, as we conceived, gave some approbation to have them taken away, it is better they fall away, by taking away the patent itself, than otherwise; for a proclamation cannot be revoked but by proclamation, which we avoid.

For those commonwealth bills, which his majesty approved to be put in readiness, and some other things, there will be time enough hereafter to give his majesty account, and amongst them, of the extent of his majesty's pardon, which, if his subjects do their part, as we hope they will, we do wish may be more liberal than of later times, a pardon being the antient remuneration in parliament.

Thus hoping his majesty, out of his gracious and accustomed benignity, will accept of our faithful endeavours, and supply the rest by his own princely wisdom and direction; and also humbly praying his majesty, that when he hath himself considered of our humble propositions, he will give us leave to impart them all, or as much as he shall think fit, to the lords of his council, for the better strength of his service, we conclude with our prayers for his majesty's happy preservation, and always rest, &c.

Indorsed,

The lord chancellor and the two chief justices to the king, concerning parliament business.

To the Lord CHANCELLOR, and the Lord MANDEVILLE, Lord Treasurer of England (*a*).

My honourable Lords,

HIS majesty is pleased, according to your lordship's certificate, to rely upon your judgments, and hath made choice of Sir Robert Lloyd, knight, to be pa-

(*a*) Harl. MSS. Vol. 7006.

tentee and master of the office of ingrossing the transcripts of all wills and inventories in the Prerogative-Courts, during his highness's pleasure, and to be accountable unto his majesty for such profits as shall arise out of the same office. And his majesty's farther pleasure is, that your lordship forthwith proportion and set down, as well a reasonable rate of fees for the subject to pay for ingrossing the said transcripts, as also such fees, as your lordship shall conceive fit to be allowed to the said patentee for the charge of clerks and ministers for execution of the said office. And to this effect his majesty hath commanded me to signify his pleasure to his solicitor general (*b*), to prepare a book for his majesty's signature. And so I bid your lordship heartily well to fare, and remain

Your Lordship's very loving friend,

Royston, December 17, 1620. G. Buckingham.

To the Marquis of Buckingham.

My very good Lord,

I WAS so full of cold, as I could not attend his majesty to-day. Yesterday I dispatched the proclamation with the council. There was a motion to have sharpened it; but better none, than over sharp at first. I moved the council also for supplying the committee for drawing of bills and some other matters, in regard of my lord Hobart's (*c*) sickness, who, I think, will hardly escape: which, though it be happiness, for him, yet it is loss for us.

Mean while as I propounded to the king, which he allowed well, I have broken the main of the parliament into questions and parts, which I send. It may be, it is an over-diligence; but still methinks there is a middle thing between art and chance: I think they call it providence, or some such thing,

(*b*) Sir Thomas Coventry.

(*c*) Lord chief justice of the Common-Pleas.

which good servants owe to their sovereign, specially in cases of importance and straits of occasions. And those huffing elections, and general licence of speech, ought to make us the better provided. The way will be, if his majesty will be pleased to peruse these questions advisedly, and give me leave to wait on him; and then refer it to some few of the council, a little to advise upon it. I ever rest

Your Lordship's most obliged friend,

and faithful servant,

December 23, 1620. FR. VERULAM, *Canc.*

To the Lord CHANCELLOR (*a*).

My honourable Lord,

HIS majesty hath commanded me to signify his pleasure unto your lordship, that Sir Thomas Coventry, now his solicitor general, be forthwith made his attorney general: and that your lordship give order to the clerk of the crown to draw up a grant of the said place unto him accordingly. And so I rest

Your Lordship's faithful friend and servant,

Whitehall, 9th of January, 1620. G. BUCKINGHAM.

To the Lord CHANCELLOR (*b*).

My honourable Lord,

I HAVE been intreated to recommend unto your lordship the distressed case of the lady Martin, widow of Sir Richard Martin, deceased, who hath a cause to be heard before your lordship in the chancery, at your first sitting in the next term, between her and one Archer, and others, upon an antient statute, due long since unto her husband; which cause, I am in-

(*a*) Harl. MSS. Vol. 7000. (*b*) Ibid.

formed, hath received three verdicts for her in the common law, a decree in the Exchequer Chamber, and a dismission before your lordship: which I was the more willing to do, because I have seen a letter of his majesty to the said Sir Richard Martin, acknowledging the good service that he did him in this kingdom, at the time of his majesty's being in Scotland. And therefore I desire your lordship, that you would give her a full and fair hearing of her cause, and a speedy dispatch thereof, her poverty being such, that having nothing to live on but her husband's debts, if her suit long depend, she shall be inforced to lose her cause for want of means to follow it: wherein I will acknowledge your lordship's favour, and rest

Your Lordship's faithful friend and servant,

Whitehall, the 13th of January, 1620. G. BUCKINGHAM.

To the Lord CHANCELLOR (*a*).

My honourable Lord,

HIS majesty hath commanded me to signify his pleasure unto you, that you give present order to the clerk of the crown to draw a bill to be signed by his majesty for Robert Heath, late recorder of London, to be his majesty's solicitor general. So I rest

Your Lordship's faithful friend and servant,

[Theobalds, 20th of January, 1620.] G. BUCKINGHAM.

To the KING (*b*).

May it please your Majesty,

I THANK God I number days, both in thankfulness to him, and in warning to myself. I should likewise number your majesty's benefits, which, as,

(*a*) Harl. MSS. Vol. 7000.

(*b*) This seems to have been written by lord St. Albans, just after he was created a viscount by that title, January 27, 1620.

to take them in all kinds, they are without number; so even in this kind of steps and degrees of advancement, they are in greater number, than scarcely any other of your subjects can say. For this is now the eighth time that your majesty hath raised me.

You formed me of the learned council extraordinary, without patent or fee, a kind of *individuum vagum*. You established me, and brought me into ordinary. Soon after you placed me solicitor, where I served seven years. Then your majesty made me your attorney, or procurator general; then privy counsellor, while I was attorney; a kind of miracle of your favour, that had not been in many ages; thence keeper of your seal; and, because that was a kind of planet, and not fixed, chancellor: and, when your majesty could raise me no higher, it was your grace to illustrate me with beams of honour, first making me baron Verulam, and now viscount St. Alban. So this is the eighth rise or reach, a diapason in music, even a good number, and accord for a close. And so I may, without superstition, be buried in St. Alban's habit or vestment.

Besides the number, the obligation is increased by three notes or marks: first, that they proceed from such a king; for honours from some kings are but great chancels, or counters, set high; but from your majesty, they are indeed dignities, by the co-operation of your grace. Secondly, in respect of the continuance of your majesty's favour, which proceedeth, as the divine favour, from grace to grace. And, thirdly, these splendors of honour are like your freest patents, *absque aliquid inde reddendo*. Offices have burdens of cares and labours; but honours have no burden but thankfulness, which doth rather raise mens spirits, than *accable* them, or press them down.

Then I must say, *quid retribuam?* I have nothing of mine own. That, that God hath given me, I shall present unto your majesty: which is care and diligence, and assidious endeavour, and that, which is the chief, *cor unum et viam unam;* hoping, that your majesty will do as your superior doth; that is, finding

my heart upright, you will bear with my other imperfections. And lastly, your majesty shall have the best of my time, which, I assure myself, I shall conclude in your favour, and survive in your remembrance. And that is my prayer for myself. The rest shall be in prayers for your majesty.

To the Lord CHANCELLOR (*a*).

My noble Lord,

I HAVE shewed your letter of thanks to his majesty, who saith there are too many thanks in it for so small a favour; which he holdeth too little to encourage so well a deserving servant. For myself, I shall ever rejoice at the manifestation of his majesty's favour toward you, and will contribute all, that is in me, to the increasing of his good opinion; ever resting

Your Lordship's faithful friend and servant,

G. BUCKINGHAM.

Speech of the Lord Viscount St. ALBAN, Lord Chancellor, to the parliament, January 30, 1620.

My Lords and Masters,

YOU have heard the king's speech; and it makes me call to mind what Solomon saith, who was also a king: *The words of the wise are as nails and pins, driven in and fastened by the masters of assemblies.* The king is the master of this assembly; and though his words, in regard of the sweetness of them, do not prick; yet, in regard of the weight and wisdom of them, I know they pierce through and through; that is, both into your memories, and into your affections; and there I leave them.

(*a*) Harl. MSS. Vol. 7000.

As the king himself hath declared unto you the causes of the convoking of this parliament; so he hath commanded me to set before you the true institution and use of a parliament, that thereby you may take your aim, and govern yourselves the better in parliament matters: for then are all things in best state, when they are preserved in their primitive institution; for otherwise ye know the principle of philosophy to be, that the corruption or degeneration of the best things is the worst.

The kings of this realm have used to summon their parliaments or estates for three ends or purposes; for advice, for assent, and for aid.

For advice, it is no doubt great surety for kings to take advice and information from their parliament. It is advice, that proceedeth out of experience; it is not speculative or abstract. It is a well-tried advice, and that passeth many revenues, and hath Argus's eyes. It is an advice, that commonly is free from private and particular ends, which is the bane of counsel. For although some particular members of parliament may have their private ends; yet one man sets another upright; so that the resultate of their counsels is, for the most part, direct and sincere. But this advice is to be given with distinction of the subjects: they are to tender and offer their advice by bill or petition, as the case requires. But in those things, that are *Arcana Imperii*, and reserved points of sovereignty, as making of war or peace, or the like, there they are to apply their advice to that, which shall be communicated unto them by the king, without pressing farther within the vail, or reaching forth to the forbidden fruit of knowledge. In these things the rule holds, *tantum permissum quantum commissum.*

To the Marquis of BUCKINGHAM.

My very good Lord,

WITH due thanks for your last visit, this day is a play-day for me. But I will wait on your lordship, if it be necessary.

I do hear from divers of judgment, that to-morrow's conference (*a*) is like to pass in a calm, as to the referees (*b*). Sir Lionel Cranfield, who hath been formerly the trumpet, said yesterday, that he did now incline to Sir John Walter's opinion and motion, not to have the referees meddled with otherwise than to discount it from the king; and so not to look back, but to the future. And I do hear almost all men of judgment in the house wish now that way. I woo no body: I do but listen, and I have doubt only of Sir Edward Coke, who I wish, had some round *caveat* given him from the king; for your lordship hath no great power with him: but I think a word from the king mates him.

If things be carried fair by the committees of the lower house, I am in some doubt, whether there will be occasion for your lordship to speak to-morrow; though, I confess, I incline to wish you did, chiefly because you are fortunate in that kind; and, to be plain also, for our better countenance, when your lordship, according to your noble proposition, shall shew more regard of the fraternity you have with great counsellors, than of the interest of your natural brother.

Always, good my lord, let us think of times out of parliament, as well as the present time in parliament,

(*a*) On Monday the 5th of March, 1620-1, the house of lords received message from the commons, desiring a conference touching certain grievances, principally concerning Sir Giles Mompesson. See Journal of the house of lords.

(*b*) Those, to whom the king referred the petitions, to consider, whether they were fit to be granted or no. This explanation of the word *referees*, I owe to a note in a MS. letter, written to the celebrated Mr. Joseph Mead, of Christ's College, Cambridge.

and let us not all be put *es pourpoint*. Fair and moderate courses are ever best in causes of estate: the rather, because I wish this parliament, by the sweet and united passages thereof, may increase the king's reputation with foreigners, who may make a far other judgment than we mean, of a beginning to question great counsellors and officers of the crown, by courts, or assemblies of estates. But the reflection upon my particular in this makes me more sparing, than perhaps, as a counsellor, I ought to be.

God ever preserve and prosper you.

Your Lordship's true servant all and ever,

March 7, the day I received the seal, 1620.

FR. ST. ALBAN, *Canc.*

To the KING (*a*).

It may please your Majesty,

I RECEIVED your majesty's letter about midnight: and because it was stronger than the antient summons of the exchequer, which is *sicut teipsum et omnia tua diligis*; whereas this was *sicut me diligis*;

(*a*) The date of this letter is determined to be the 8th of March, 1620-1, from the circumstance of its being mentioned to have been written on that Thursday, on which the house of Lords adjourned to the Saturday following. It appears from the journal of that house, that on the 8th of March, 1620, the said house, at which were present the prince of Wales and marquis of Buckingham, was adjourned to Saturday the 10th, on which day a conference of both houses was held relating to the complaint of that of the commons against Sir Giles Mompesson. Of this conference the lord chancellor made report on Monday, March 12, to the house of lords, remarking, that "the inducement to this conference was to clear the king's honour touching grants to Sir Giles, and the passages in procuring the same." After this report of the conference, the lord Chamberlain, William earl of Pembroke, complained to the house, that *two great lords*, meaning the lord chancellor, and the lord treasurer, the lord Viscount Mandeville, had, in that conference, *spake in their own defence, not being allowed to do so when the committees were named.* Upon which both the lords acknowledged their error, and begged pardon of the house.

I used all possible care to effect your majesty's good will and pleasure.

I sent early to the prince, and to my lord treasurer: and we attended his highness soon after seven of the clock, at Whitehall, to avoid farther note. We agreed, that, if the message came, we would put the lords into this way, that the answer should be, that we understood they came prepared both with examination and precedent; and we likewise desired to be alike prepared, that the conference might be with more fruit.

I did farther speak with my lord of Canterbury, when I came to the house, not letting him know any part of the business, that he would go on with a motion, which he had told me of the day before, that the lords house might not sit Wednesday and Friday, because they were convocation days; and so was the former custom of parliament.

As good luck was, the house read two bills, and had no other business at all: whereupon my lord of Canterbury made his motion; and I adjourned the house till Saturday. It was no sooner done, but came the message from the lower house. But the *consummatum est* was past, though I perceived a great willingness, in many of the lords, to have recalled it, if it might have been.

So with my best prayers for your majesty's preservation, I rest

Your Majesty's most bounden
and most devoted servant,
FR. ST. ALBAN, *Canc.*

Thursday, at eleven of our forenoon [March 8, 1620.]

To the Marquis of BUCKINGHAM (*a*).

My very good Lord,

YOUR lordship spoke of purgatory. I am now in it; but my mind is in a calm; for my fortune is not my felicity. I know I have clean hands, and a clean

(*a*) This letter seems to have been written soon after lord St. Alban began to be accused of abuses in his office of chancellor.

heart; and, I hope, a clean house for friends or servants. But Job himself, or whosoever was the justest judge, by such hunting for matters against him, as hath been used against me, may for a time seem foul, especially in a time, when greatness is the mark, and accusation is the game. And if this be to be a chancellor, I think, if the great seal lay upon Hounslow Heath, no body would take it up. But the king and your lordship will, I hope, put an end to these my straits one way or other. And in troth that, which I fear most, is, lest continual attendance and business, together with these cares, and want of time to do my weak body right this spring by diet and physic, will cast me down; and that it will be thought feinging, or fainting. But I hope in God I shall hold out. God prosper you.

To the Chancellor of the Duchy, Sir HUMPHREY MAY.

Good Mr. Chancellor,

THERE will come, upon Friday, before you a patent (*a*) of his majesty's for the separation of the company of apothecaries from the company of grocers, and their survey, and the erecting them into a corporation of themselves under the survey of the physicians. It is, as I conceive, a fair business both for law and conveniency, and a work, which the king made his own, and did, and, as I hear, doth take much to heart. It is *in favorem vitæ*, where the other part is *in favorem lucri*. You may perhaps think me partial to apothecaries, that have been ever puddering in physic all my life. But there is a circumstance, that touches upon me but *post diem*, for it is compre-

(*a*) The patent for incorporating the apothecaries by themselves, by the appellation of *The masters, wardens, and society of the art and mystery of apothecaries of London*, was dated December 6, 1617. They had been incorporated with the company of grocers, April 9, 1606.

hended in the charge and sentence passed upon me. It is true, that after I had put the seal to the patent, the apothecaries (*b*) presented me with an hundred pounds. It was no judicial affair. But howsoever, as it may not be defended, so I would be glad it were not raked up more than needs. I doubt only the chair (*c*), because I hear he useth names sharply; and besides, it may be, he hath a tooth at me yet, which is not fallen out with age. But the best is, as one saith, *satis est lapsos non erigere; urgere verò jacentes, aut præcipitantes impellere, certè est inhumanum.* Mr. Chancellor, if you will be nobly pleased to grace me upon this occasion, by shewing tenderness of my name, and commiseration of my fortune, there is no man in that assembly, from whose mouth I had rather it should come. I hope it will be no dishonour to you. It will oblige me much, and be a worthy fruit of our last reintegration of friendship. I rest

Your faithful friend to do you service.

(*b*) His lordship being charged by the house of commons, that he had received 100l. of the *new company of apothecaries, that stood against the grocers*, as likewise a taster of gold worth between 400 and 500l. with a present of ambergrise, from *the apothecaries that stood with the grocers*, and 200l. of the grocers; he admits the several sums to have been received of the three parties, but alledges, "that he considered those presents as no judicial business, but a concord of composition between the parties: and as he thought they had all three received good, and they were all common purses, he thought it the less matter to receive what they voluntarily presented; for if he had taken it in the nature of a bribe, he knew it could not be concealed, because it must be put to the account of the three several companies."

(*c*) Sir Robert Philips was chairman of the committee of the house of commons for inquiring into the abuses of the courts of justice. He was son of Sir Edward Philips, Master of the Rolls, who died September 11, 1614, being succeeded by Sir Julius Cæsar, to whom the king had given, January 16, 1610-11, under the great seal, the reversion of that post.

Memoranda of what the Lord CHANCELLOR intended to deliver to the KING, April 16, 1621 (*a*), upon his first access to his Majessy after his troubles.

THAT howsoever it goeth with me, I think myself infinitely bound to his majesty for admitting me to touch the hem of his garment; and that, according to my faith, so be it unto me.

(*a*) A committee of the House of Commons had been appointed about the 12th of March, 1620-1, to inspect the abuses of the courts of justice, of which Sir Edward Sackville was named the chairman, but by reason of some indisposition, Sir Robert Philips was chosen in his room. The first thing they fell upon was bribery and corruption, of which the lord chancellor was accused by Mr. Christopher Aubrey and Mr. Edward Egerton; who affirmed, that they had procured money to be given to his lordship to promote their causes depending before him. This charge being corroborated by some circumstances, a report of it was made from the committee to the house, on Thursday, the 15th of March; and a second on the 17th, of other matters of the same nature, charged upon his lordship. The heads of the accusation having been drawn up, were presented by the commons to the lords, in a conference, on Monday, the 19th of the same month. The subject of this conference being reported, the next day, to the house of lords, by the lord treasurer, the marquis of Buckingham presented to their lordships a letter to them from the lord chancellor, dated that day. Upon this letter, answer was sent from the lords to the lord chancellor, on the 20th, that they had received his letter, and intended to proceed in his cause, now before them, according to the rule of justice, desiring his lordship to provide for his just defence. The next day, March 21, the commons sent to the lords a farther charge against the lord chancellor; and their lordships, in the mean time, examined the complaints against him, and witnesses in the house, and appointed a select committee of themselves to take examinations likewise. Towards the latter end of March the session was discontinued for some time, in hopes, as it was imagined, of softening the lord chancellor's fall; but, upon the re-assembling of the parliament, more complaints being daily represented, on Wednesday, April 24, the prince signified unto the lords, that his lordship had sent a submission, dated the 22d. Which the lords having considered, and heard the collection of corruptions charged on him, and the proofs read, they sent a copy of the same, without the proofs, to him, by baron Denham and Mr. Attorney-general, with this message, that his lordship's confession was not fully set down by him; and that they had therefore sent him the particular charge, and expected his

That I ought also humbly to thank his majesty for that, in that excellent speech of his, which is printed, that speech of so great maturity, wherein the elements are so well mingled, by kindling affection, by washing away aspersion, by establishing of opinion, and yet giving way to opinion, I do find some passages, which I do construe to my advantage.

And lastly, I have heard from my friends, that, notwithstanding these waves of information, his majesty mentions my name with grace and favour.

In the next place, I am to make an oblation of myself into his majesty's hands, that, as I wrote to him, I am as *clay in his hands*, his majesty may make a vessel of honour or dishonour of me, as I find favour in his eyes; and that I submit myself wholly to his grace and mercy, and to be governed both in my cause and fortunes by his direction, knowing that his heart is inscrutable for good. Only I may express myself thus far, that my desire is, that the thread, or line, of my life, may be no longer than the thread, or line, of my service: I mean, that I may be of use to your majesty in one kind or other.

Now for any farther speech, I would humbly pray his majesty, that whatsoever the law of nature shall

answer to it with all convenient expedition. To which he answered, that he would return their lordships an answer with speed. On the 25th of April, the lords considered of his said answer, and sent a second message by the same persons, that having received a doubtful answer to their message, sent him the day before, they now sent to him again, to know directly and presently, whether his lordship would make his confession, or stand upon his defence. His answer, returned by the same messengers, was, that he would make no manner of defence, but meant to acknowledge corruption, and to make a particular confession to every point, and after that an humble submission; but humbly craved liberty, that where the charge was more full than he finds the truth of the fact, he may make declaration of the truth in such particulars, the charge being brief, and containing not all circumstances. The lords sent the same messengers, to let him know, that they granted him time to do this till the Monday following; when he sent his confession and submission; which being avowed by him to several lords, sent to him, the lords resolved, on the 2d of May, to proceed to sentence him the next morning, and summoned him to attend; which he excusing, on account of being confined to his bed by sickness, they gave judgment accordingly on the 3d of May, 1621.

teach me to speak for my own preservation, your majesty will understand it to be in such sort, as I do nevertheless depend wholly upon your will and pleasure. And under this submission, if your majesty will graciously give me the hearing, I will open my heart unto you, both touching my fault, and fortune.

For the former of these, I shall deal ingenuously with your majesty, without seeking fig-leaves or subterfuges.

There be three degrees, or cases, as I conceive, of gifts and rewards given to a judge:

The first is of bargain, contract, or promise of reward, *pendente lite*. And this is properly called *venalis sententia*, or *baratria*, or *corruptelæ munerum*. And of this, my heart tells me, I am innocent; that I had no bribe or reward in my eye or thought, when I pronounced any sentence or order.

The second is a neglect in the judge to inform himself, whether the cause be fully at an end, or no, what time he receives the gift but takes it upon the credit of the party, that all is done; or otherwise omits to inquire.

And the third is, when it is received *sine fraude*, after the cause ended; which, it seems by the opinion of the civilians, is no offence. Look into the the case of simony, &c.

Draught of another paper to the same purpose.

THERE be three degrees, or cases, of bribery, charged, or supposed, in a judge:

The first, of bargain, or contract, for reward to prevert justice.

The second, where the judge conceives the cause to be at an end, by the information of the party, or otherwise, useth not such diligence, as he ought, to inquire of it. And the third, when the cause is really ended, and it is *sine fraude*, without relation to any precedent promise.

Now if I might see the particulars of my charge, I should deal plainly with your majesty, in whether of these degrees every particular case falls.

But for the first of them, I take myself to be as innocent, as any born upon St. Innocents day, in my heart.

For the second, I doubt, in some particulars I may be faulty.

And for the last, I conceived it to be no fault; but therein I desire to be better informed, that I may be twice penitent, once for the fact, and again for the error. For I had rather be a briber, than a defender of bribes.

I must likewise confess to your majesty, that at new-years tides, and likewise at my first coming in, which was, as it were, my wedding, I did not so precisely, as perhaps I ought, examine whether those, that presented me, had causes before me, yea or no.

And this is simply all, that I can say for the present, concerning my charge, until I may receive it more particularly. And all this while, I do not fly to that, as to say, that these things are *vitia temporis*, and not *vitia hominis*.

For my fortune, *summa summorum* with me is, that I may not be made altogether unprofitable to do your majesty service, or honour. If your majesty continue me as I am, I hope I shall be a new man, and shall reform things out of feeling, more than another can do out of example. If I cast part of my burden, I shall be more strong and *delivré* to bear the rest. And, to tell your majesty what my thoughts run upon, I think of writing a story of England, and of recompiling of your laws into a better digest.

But to conclude, I most humbly pray your majesty's directions and advice. For as your majesty hath used to give me the attribute of care of your business, so I must now cast the care of myself upon God and you.

Notes upon MICHAEL DE LA POLE's Case (*a*)

10 *Rich.* 2. THE offences were of three natures:

1. Deceits to the king.

2. Misgovernance in point of estate, whereby the ordinances made by ten commissioners for reformation of the state were frustrated, and the city of Ghent, in foreign parts, lost.

3. And his setting the seal to pardons for murders, and other enormous crimes.

The judgment was imprisonment, fine, and ransom, and restitution to the king, but no disablement, nor making him uncapable, no degrading in honour mentioned in the judgment: but contrariwise, in the clause, that restitution should be made and levied out of his lands and goods, it is expressly said, that because his honour of earl was not taken from him, therefore his 20l. *per annum* creation money should not be meddled with.

Observations upon THORPE's Case.

24 *Edw.* 3. His offence was, taking of money from five several persons, that were felons, for staying their process of exigent; for that it made him a kind of accessary of felony, and touched upon matter capital.

The judgment was the judgment of felony: but the proceeding had many things strong and new; first, the proceeding was by commission of *oyer* and *terminer*, and by jury; and not by parliament.

The judgment is recited to be given in the king's high and sovereign power.

It is recited likewise, that the king, when he made him chief justice, and increased his wages, did *ore*

(*a*) This paper was probably drawn up on occasion of the proceedings and judgment passed upon the lord viscount St. Alban by the house of lords, May 3, 1621.

tenus say to him, in the presence of his council, that now if he bribed he would hang him: unto which penance, for so the record called it, he submitted himself. So it was a judgment by a contract.

His oath likewise, which was devised some few years before, which is very strict in words, that he shall take no reward, neither before nor after, is chiefly insisted upon. And that, which is more to be observed, there is a precise proviso, that the judgment and proceeding shall not be drawn into example against any, and specially not against any who have not taken the like oath: which the lord chancellor, lord treasurer, master of the wards, &c. take not, but only the judges of both benches, and baron of the exchequer.

The king pardoned him presently after, doubting, as it seems, that the judgment was erroneous, both in matter and form of proceeding; brought it before the lords of parliament, who affirmed the judgment, and gave authority to the king in the like cases, for the time to come, to call to him what lords it pleased him, and to adjudge them.

Notes upon Sir JOHN LEE's Case, Steward of the King's Houshold.

44 *Edw.* 3. His offences were, great oppressions in usurpation of authority, in attacking and imprisoning in the Tower, and other prisons, numbers of the king's subjects, for causes no ways appertaining to his jurisdiction; and for discharging an appellant of felony without warrant, and for deceit of the king, and extortions.

His judgment was only imprisonment in the Tower, until he had made a fine and ransom at the king's will; and no more.

Notes upon Lord LATIMER's Case.

50 *Edw.* 3. His offences were very high and hainous, drawing upon high treason: as the extortious taking of victuals in Bretagne, to a great value, without paying any thing; and for ransoming divers parishes there to the sum of 83,000l. contrary to the articles of truce proclaimed by the king; for suffering his deputies and lieutenants in Bretagne to exact, upon the towns and countries there, divers sums of money, to the sum of 150,000 crowns; for sharing with Richard Lyons in his deceit of the king; for enlarging, by his own authority, divers felons; and divers other exorbitant offences.

Notwithstanding all this, his judgment was only to be committed to the Marshalsea, and to make fine and ransom at the king's will.

But after, at the suit of the commons, in regard of those horrible and treasonable offences, he was displaced from his office, and disabled to be of the king's council; but his honours not touched, and he was presently bailed by some of the lords, and suffered to go at large.

JOHN Lord NEVILLE's Case.

50 *Edw.* 3. His offences were, the not supplying the full number of the soldiers in Bretagne, according to the allowance of the king's pay. And the second was for buying certain debts, due from the king, to his own lucre, and giving the parties small recompence, and specially in a case of the lady Ravensholme.

And it was prayed by the commons that he might be put out of office about the king: but there was no judgment given upon that prayer, but only of restitution to the lady, and a general clause of being punished according to his demerits.

To the Count GONDOMAR, Ambassador from the Court of Spain.

Illustrissime Domine Legate,

AMOREM illustrissimæ Dominationis tuæ erga me, ejusque et fervorem et candorem, tam in prosperis rebus, quam in adversis, æquabili tenore constantem perspexi. Quo nomine tibi meritas et debitas gratias ago. Me verò jam vocat et ætas, et fortuna, atque etiam genius meus, cui adhuc satis morosè satisfeci, ut excedens è theatro rerum civilium literis me dedam, et ipsos actores instruam, et posteritati serviam. Id mihi fortasse honori erit, et degam tanquam in atriis vitæ melioris.

Deus illustrissimam Dominationem tuam incolumem servet et prosperam.

Servus tuus,

Junii 6, 1621. FR. ST. ALBAN.

To Count GONDOMAR (*a*).

Illustrissime et excellentissime Domine,

PERSPEXI et agnosco providentiam divinam, quod in tantâ solitudine mihi tanquam cœlitus suscitaverit talem amicum, qui tantis implicatus negotiis, et in tantis temporis angustiis, curam mei habuerit, idque pro me effecerit, quod alii amici mei aut non ausi sint tentare, aut obtinere non potuerint. Atque illustrissimæ Dominationi tuæ reddent fructum proprium et perpetuum mores tui tam generosi, et erga omnia officia humanitatis et honoris propensi; neque erit fortasse inter opera tua hoc minimum, quod me, qui et aliquis fui apud vivos, neque omnino intermo-

(*a*) In the *letters, memoirs, &c. of the lord chancellor Bacon,* published by Mr. Stephens, in 1736, p. 517, is a Spanish letter to him from count Gondomar, dated at London, June 14, 1621.

riar apud posteros, ope et gratiâ tuâ erexeris, confirmaris. Ego quid possum? Ero tandem tuus, si minus usufructu, at saltem affectu, voto. Sub cineribus fortunæ vivi erunt semper ignes amoris. Te igitur humillimè saluto, tibi valedico, omnia prospera exopto, gratitudinem testor, observantiam polliceor.

Illustrissimo et excellentissimo Do. Do. Didaco Sarmiento de Acunna, Comiti de Gondomar, Legato Regis Hispaniarum extraordinario in Angliâ.

To the Marquis of BUCKINGHAM (*a*).

My very good Lord,

I HUMBLY thank your lordship for the grace and favour which you did both to the message and messenger, in bringing Mr. Meautys to kiss his majesty's hands, and to receive his pleasure. My riches in my adversity hath been, that I have had a good master, a good friend, and a good servant.

Perceiving, by Mr. Meautys, his majesty's inclination, it shall be, as it hath ever used to be to me, instead of a direction; and therefore I purpose to go forthwith to Gorhambury, humbly thanking his majesty nevertheless, that he was graciously pleased to have acquainted my lords with my desire, if it had stood me so much upon. But his majesty knoweth best the times and seasons; and to his grace I submit myself, desiring his majesty and your lordship to take my letters from the Tower, as written *de profundis*, and those I continue to write to be *ex aquis salsis*.

[June 22, 1621.]

Indorsed,

To lord Buckingham, upon bringing Mr. Meautys to kiss the king's hands.

(*a*) This letter is reprinted here, because it differs, in some respects, from that published in *letters, memoirs, parliamentary affairs, state papers, &c.* by Robert Stephens, Esq; p. 151. Edit. London, 1736, 4to.

To the Marquis of BUCKINGHAM.

My very good Lord,

I HAVE written, as I thought it decent in me to do, to his majesty, the letter I send inclosed. I have great faith that your lordship, now nobly and like yourself, will effect with his majesty. In this the king is of himself, and it hath no relation to parliament. I have written also, as your lordship advised me, only touching that point of means. I have lived hitherto upon the scraps of my former fortunes; and I shall not be able to hold out longer. Therefore I hope your lordship will now, according to the loving promises and hopes given, settle my poor fortunes, or rather my being. I am much fallen in love with a private life; but yet I shall so spend my time, as shall not decay my abilities for use.

God preserve and prosper your lordship.

[Sept. 5, 1621.]

To the PRINCE.

May it please your Highness,

I CANNOT too oft acknowledge your highness's favour in my troubles; but acknowledgment now is but begging of new favour. Yet even that is not inconvenient; for thanksgiving and petition go well together, even to God himself. My humble suit to your highness, that I may be thought on for means to subsist; and to that purpose, that your highness will join with my noble friend to the king. That done, I shall ever be ready, either at God's call, or his majesty's, and as happy, to my thinking, as a man can be, that must leave to serve such a king.

God preserve and prosper your highness.

On the back of the draughts of the three preceding letters were written the following memoranda.

Bishops Winchester (*a*), Durham (*b*), London (*c*).
Lord Duke (*d*), Lord Hunsdon.

Lord Chamberlain (*e*), to thank him for his kind remembrance by you; and though in this private fortune I shall have use of few friends, yet I cannot but acknowledge the moderation and affection his lordship shewed in my business, and desire, that of those few his lordship will still be one for my comfort, in whatsoever may cross his way, for the furtherance of my private life and fortune.

Mr. John Murray. If there be any thing that may concern me, that is fit for him to speak, and me to know, that I may receive it by you.

Mr. Maxwell. That I am sorry, that so soon as I came to know him, and to be beholding to him, I wanted power to be of use to him.

Lord of Kelly; and to acquaint him with that part touching the confinement.

To the KING.

It may please your Majesty,

NOW that your majesty hath passed the recreation of your progress, there is nevertheless one kind of recreation, which, I know, remaineth with your majesty all the year; which is to do good, and to exercise your clemency and beneficence. I shall never measure my poor service by the merit, which perhaps is small, but by the acceptation, which hath been always favourably great. I have served your majesty now seventeen years; and since my first service, which was in the commission of the union, I received from your majesty never chiding or rebuke, but always

(*a*) Dr. Andrews. (*b*) Dr. Richard Neile.
(*c*) Dr. George Mountain. (*d*) Lenox.
(*e*) William, earl of Pembroke.

sweetness and thanks. Neither was I, in these seventeen years, ever chargeable to your majesty, but got my means in an honourable sweat of my labour, save that of late your majesty was graciously pleased to bestow upon me the pension of twelve hundred pounds for a few years. For in that other poor prop of my estate, which is the farming of the petty writs, I improved your majesty's revenue by four hundred pounds the year. And likewise, when I received the seal, I left both the Attorney's place, which was a gainful place, and the clerkship of the Star-Chamber, which was queen Elizabeth's favour, and was worth twelve hundred pounds by the year, which would have been a good *commendam*. The honours which your majesty hath done me, have put me above the means to get my living; and the misery I am fallen into hath put me below the means to subsist as I am. I hope my courses shall be such, for this little end of my thread which remaineth, as your majesty, in doing me good, may do good to many, both that live now, and shall be born hereafter. I have been the keeper of your seal, and now am your beadsman. Let your own royal heart, and my noble friend, speak the rest.

God preserve and prosper your majesty.

Your Majesty's faithful
poor servant and beadsman,

September 5, 1621. FR. ST. ALBAN.

Cardinal Wolsey said, that if he had pleased God as he pleased the king, he had not been ruined. My conscience saith no such thing; for I know not but in serving you I have served God in one. But it may be, if I had pleased God as I had pleased you, it would have been better with me.

To the KING.

It may please your most excellent Majesty,

I DO very humbly thank your majesty for your gracious remission of my fine. I can now, I thank God and you, die, and make a will.

I desire to do, for the little time God shall send me life, like the merchants of London, which, when they give over trade, lay out their money upon land. So, being freed from civil business, I lay forth my poor talent upon those things which may be perpetual, still having relation to do you honour with those powers I have left.

I have therefore chosen to write the reign of king Henry the VIIth, who was in sort your forerunner, and whose spirit, as well as his blood, is doubled upon your majesty.

I durst not have presumed to intreat your majesty to look over the book, and correct it, or at least to signify what you would have amended. But since you are pleased to send for the book, I will hope for it.

[(*a*) God knoweth, whether ever I shall see you again; but I will pray for you to the last gasp, resting]

The same, your true beadsman,

October 8, 1621. FR. ST. ALBAN.

Grant of Pardon to the Viscount ST. ALBAN, under the Privy Seal (*b*).

A SPECIAL pardon granted unto Francis, Viscount St. Alban, for all felonies done and committed against the common laws and statutes of this realm; and for all offences of præmunire; and for all misprisions, riots, &c. with the restitution of all his lands and goods forfeited by reason of any of the premises; except out of the same pardon all treasons, murders, rapes, incest; and except also all fines, imprisonments, penalties, and forfeitures, adjudged against the said Viscount St. Alban, by a sentence lately made in the parliament. Teste Rege apud Westm. 17 die Octob. anno Regni sui 19.

Per lettre de privato sigillo.

(*a*) This passage has a line drawn over it.
(*b*) Cotton Library, Titus Book VII.

Dr. WILLIAMS, Bishop of Lincoln elect, and Lord Keeper of the Great Seal, to the Viscount ST. ALBAN.

My very good Lord,

HAVING perused a privy seal, containing a pardon for your lordship, and thought seriously thereupon, I find, that the passing of the same, the assembly in parliament so near approaching (*a*), cannot but be much prejudicial to the service of the king, to the honour of my lord of Buckingham, to that commiseration which otherwise would be had of your lordship's present estate, and especially to my judgment and fidelity. I have ever affectionately loved your lordship's many and most excellent good parts and endowments; nor had ever cause to disaffect your lordship's person. So as no respect in the world, beside the former considerations, could have drawn me to add the least affliction, or discontentment, unto your lordship's present fortune. May it therefore please your lordship to suspend the passing of this pardon, until the next assembly be over and dissolved; and I will be then as ready to seal it as your lordship to accept of it; and, in the mean time, undertake, that the king and my lord admiral shall interpret this short delay as a service and respect issuing wholly from your lordship; and rest, in all other offices whatsoever,

Your Lordship's faithful servant,

JO. LINCOLN, *elect. Custos Sigilli.*

Westminster-College, October 18, 1621.

To the right honourable his very good lord, the lord viscount St. Alban.

(*a*) It met November 24, 1621; and was dissolved, February 8, 1621-2.

To the Lord KEEPER.

My very good Lord,

I KNOW the reasons must appear to your lordship many and weighty, which should move you to stop the king's grace, or to dissuade it; and somewhat the more in respect of my person, being, I hope, no unfit subject for noble dealing. The message I received by Mr. Meautys did import inconvenience, in the form of the pardon; your lordship's last letter, in the time: for, as for the matter, it lay so fair for his majesty's and my lord of Buckingham's own knowlenge, as I conceive your lordship doth not aim at that. My affliction hath made me understand myself better, and not worse; yet loving advice, I know, helps well. Therefore I send Mr. Meautys to your lordship, that I might reap so much your fruit of your lordship's professed good affection, as to know in some more particular fashion, what it is that your lordship doubteth, or disliketh (*a*), that I may the better endeavour your satisfaction, or acquiescence, if there be cause. So I rest

Your Lordship's to do you service,

October 18, 1621. FR. ST. ALBAN.

Petition of the Lord Viscount ST. ALBAN, intended for the House of Lords.

My right honourable very good Lords,

IN all humbleness, acknowledging your lordship's justice, I do now in like manner crave and implore your grace and compassion. I am old, weak, ruined, in want, a very subject of pity. My only suit to your lordship's is, to shew me your noble favour towards the

(*a*) The lord keeper, in a letter to the marquis of Buckingham, dated October 27, 1621, printed in the *Cabala*, p. 60. Edit. London, 1654, gives his reasons, why he hesitated to seal that pardon.

release of my confinement, so every confinement is, and to me, I protest, worse than the Tower (*a*). There I could have company, physicians, conference with my creditors and friends about my debts, and the necessities of my estate, helps for my studies and the writings I have in hand. Here I live upon the sword-point of a sharp air, endangered if I go abroad, dulled if I stay within, solitary and comfortless without company, banished from all opportunities to treat with any to do myself good, and to help out any wrecks; and that, which is one of my greatest griefs, my wife, that hath been no partaker of my offending, must be partaker of this misery of my restraint.

May it please your lordships, therefore, since there is a time for justice, and a time for mercy, to think with compassion upon that which I have already suffered, which is not little; and to recommend this my humble, and, as I hope, modest suit to his most excellent majesty, the fountain of grace, of whose mercy, for so much as concerns himself merely, I have already tasted, and likewise of his favour of this very kind, by some small temporary dispensations.

Herein your lordships shall do a work of charity and nobility: you shall do me good; you shall do my creditors good; and, it may be, you shall do posterity good, if out of the carcase of dead and rotten greatness, as out of Samson's lion, there may be honey gathered for the use of future times.

God bless your persons and counsels.

Your Lordship's supplicant and servant,

FR. ST. ALBAN.

Indorsed,

Copy of the petition intended for the house of parliament.

(*a*) He had been committed to the Tower, in May, 1621, and discharged after two days confinement there, according to Camden, *Annales Regis Jacobi I.* p. 71. There is a letter of his lordship to the marquis of Buckingham, dated from the Tower, May 31, 1621, desiring his lordship to procure his discharge that day.

To John Lord Digby (*a*).

My very good Lord,

RECEIVING, by Mr. Johnson, your loving salutations, it made me call to mind many of your lordship's tokens, yea, and pledges of good and hearty affection in both my fortunes; for which I shall be ever yours. I pray, my lord, if occasion serve, give me your good word to the king, for the release of my confinement, which is to me a very strait kind of imprisonment. I am no Jesuit, nor no leper, but one that served his majesty these sixteen years, even from the commission of the union till this last parliament, and ever had many th anks of his majesty, and was never chidden. This his majesty, I know, will remember, at one time or other; for I am his man still.

God keep your lordship.

Your Lordship's most affectionate to do you service,

Gorhambury, this last of December, 1621.

Fr. St. Alban.

To the Lord Viscount St. Alban (*b*).

My honourable Lord,

I HAVE received your lordship's letter, and have been long thinking upon it, and the longer the less able to make answer unto it. Therefore if your lordship will be pleased to send any understanding man unto me, to whom I may, in discourse, open myself, I will, by that means, so discover my heart with all freedom, which were too long to do by letter,

(*a*) Created so in November, 1618, and in September, 1622, earl of Bristol.

(*b*) Harl. MSS. Vol. 7000.

especially in this time of parliament business, that your lordship shall receive satisfaction. In the mean time I rest,

Your Lordship's faithful servant,

Royston, Dec. 16, [1621]. G. BUCKINGHAM.

To the Marquis of BUCKINGHAM.

My very good Lord,

THE reason why I was so desirous to have had conference with your lordship at London, was indeed to save you the trouble of writing: I mean, the reason in the second place; for the chief was to see your lordship. But since you are pleased to give me the liberty to send to your lordship, one to whom you will deliver your mind, I take that in so good part, as I think myself tied the more to use that liberty modestly. Wherefore, if your lordship will vouchsafe to send to me one of your own, except I might have leave to come to London, either Mr. Packer, my antient friend, or Mr. Aylesbury (*a*), of whose good affection towards me I have heard report; to me it shall be indifferent. But if your lordship will have one of my nomination, if I might presume so far, I would name before all others, my lord of Falkland. But because perhaps it may cost him a journey, which I may not in good manners desire, I have thought of Sir Edward Sackville, Sir Robert Mansel, my brother, Mr. Solicitor-general (*b*), who, though he be almost a stranger to me, yet, as my case now is, I had rather employ a man of good nature than a friend, and Sir Arthur Ingram, notwithstanding he be great with my lord Treasurer. Of these, if your lordship will be pleased to prick one, I hope well I shall entreat him to

(*a*) Thomas Aylesbury, Esq. secretary to the marquis of Buckingham as lord high admiral. He was created a baronet in 1627. Lord chancellor Clarendon married his daughter Frances.

(*b*) Sir Robert Heath, made solicitor in January, 1620-1.

attend your lordship, and to be sorry never a whit of the employment. Your lordship may take your own time to signify your will, in regard of the present business of parliament. But my time was confined, by due respect to write a present answer to a letter, which I construed to be a kind letter, and such as giveth me yet hope to shew myself to your lordship

Your Lordship's most obliged friend

and faithful servant,

FR. ST. ALBAN.

Indorsed,

To the lord of Buckingham, in answer to his of the 16th of December.

A Memorial of Conference, when the Lord Viscount St. ALBAN expected the Marquis of BUCKINGHAM.

My Lord Marquis,

Inducement.] AFFLICTIONS are truly called trials; trials of a man's self, and trials of friends. For the first, I am not guilty to myself of any unworthiness, except perhaps, too much softness in the beginning of my troubles. But since, I praise God, I have not lived like a drone, nor like a mal-content, nor like a man confused. But though the world hath taken her talent from me, yet God's talent I put to use.

For trial of friends, he cannot have many friends, that hath chosen to rely upon one. So that is in a small room, ending in yourself. My suit therefore to you is, that you would now, upon this vouchsafed conference, open yourself to me, whether I stand in your favour and affection, as I have done; and if there be an alteration, what is the cause; and if none, what effects I may expect for the future of your friendship and favour, my state being not unknown to you.

Reasons of doubting.] The reasons, why I should doubt of your lordship's coolness towards me, or falling from me, are either out of judgment and discourse, or out of experience, and somewhat that I find. My judgment telleth, that when a man is out of sight and out of use, it is a nobleness somewhat above this age to continue a constant friend: that some, that are thought to have your ear, or more, love me not, and may either disvalue me, or distaste your lordship with me. Besides, your lordship hath now so many, either new-purchased friends, or reconciled enemies, as there is scarce room for an old friend specially set aside. And lastly, I may doubt, that that, for which I was fittest, which was to carry things *suavibus modis*, and not to bristle, or undertake, or give venturous counsels, is out of fashion and request.

As for that, I find your lordship knoweth, as well as I, what promises you made me, and iterated them back by message, and from your mouth, consisting of three things: the pardon of the whole sentence; some help for my debts, and an an annual pension, which your lordship did set at 2000l. as obtained, and 3000l. in hope. Of these being promises undesired, as well as favours undeserved, there is effected only the remission of the fine, and the pardon now stayed. From me I know there hath proceeded nothing, that may cause the change. These I lay before you, desiring to know, what I may hope for; for hopes are racks, and your lordship, that would not condemn me to the Tower, I know will not condemn me to the rack.

The pardon stayed.] I have, though it be a thing trivial, and that at a coronation one might have it for five marks, and after a parliament for nothing, yet have great reason to desire it, specially being now stirred: chiefly, first, because I have been so sifted; and now it is time there were an end. Secondly, because I mean to live a retired life; and so cannot be at hand to shake off any clamour.

For any offence the parliament should take, it is rather honour, than in a thing, wherein the king is ab-

solute, yet he will not interpose in that, which the parliament hath handled; and the king hath already restored judicature, after a long intermission: but for matter of his grace, his majesty shall have reason to keep it entire.

I do not think any, except a Turk or Tartar, would wish to have another chop out of me. But the best is, it will be found there is a time for envy, and a time for pity; and cold fragments will not serve, if the stomach be on edge. For me, if they judge by that, which is past, they judge of the weather of this year by an almanack of the old year; they rather repent of that they have done, and think they have but served the turns of a few.

THOMAS MEAUTYS, Esq. *(a)* to the Lord Viscount ST. ALBAN.

May it please your Lordship,

AS soon as I came to London, I repaired to Sir Edward Sackville (*b*), whom I find very zealous, as I told your lordship. I left him to do you service, in any particular you shall command him, to my lord marquis, though it were with some adventure; and withal he imparted to me what advice he had given to my lady this afternoon, upon his visiting of her at York-house, when Mr. Packer also, as it fell out, was come, at the same time, to see my lady, and seemed to concur with Sir Edward Sackville in the same ways; which were, for my lady to become a suitor to

(*a*) He had been secretary to the lord viscount St. Alban, while his lordship had the great seal, and was afterwards clerk of the council, and knighted. He succeeded his patron in the manor of Gorhambury, which, after the death of Sir Thomas, came to his cousin and heir, Sir Thomas Meautys, who married Anne, daughter of Sir Nathaniel Bacon, of Culford-Hall in Suffolk, knight; which lady married a second husband, Sir Harbottle Grimstone, baronet, and master of the rolls; who purchased the reversion of Gorhambury, from Sir Hercules Meautys, nephew of the second Sir Thomas.

(*b*) Afterwards Earl of Dorset, well known for his duel in 1613, with the lord Kinloss, in which the latter was killed.

my lady Buckingham (*c*), and my lady marchioness (*d*), to work my lord marquis for obtaining of the king some bounty towards your lordship; and in particular, that of the thousand pounds for the small writs. If I may speak my opinion to your lordship, it is not amiss to begin any way, or with any particular, though but small game at first, only to set a rusty clock a-going, and then haply it may go right for a time, enough to bring on the rest of your lordship's requests. Yet because your lordship directed me to wish my lady, from you, by no means, to act any thing, but only to open her mind, in discourse, unto friends, until she should receive your farther direction; it became not me to be too forward in putting it on too fast with Sir Edward; and my lady was pleased to tell me since, that she hath written to your lordship at large.

I inquired, even now, of Benbow, whether the proclamation for dissolving the parliament were coming forth. He tells me he knows no more certainty of it than that Mr. Secretary commanded him yesterday to be ready for dispatching of the writs, when he should be called for; but since then he hears it sticks, and endures some qualms; but they speak it still aloud at court that the king is resolved of it.

Benbow tells me likewise, that he hath attended, these two days, upon a committee of the lords, with the book of the commission of peace; and that their work is to empty the commission in some counties by the score, and many of them parliament-men: which course sure helps to ring the passing-bell to the parliament.

Mr. Borough *(e)* tells me, he is at this present fain to attend some service for the king; but about Saturday

(*c*) Mary, countess of Buckingham, mother of the marquis.

(*d*) Catharine, marchioness of Buckingham, wife of the marquis, and only daughter and heir of Francis, earl of Rutland.

(*e*) John Borough, educated in common law at Gray's-Inn, keeper of the records of the tower of London, secretary to the earl marshal, in 1623 made Norroy; in July the year following knighted, and on the 23d of December, the same year, made garter king at arms in the place of Sir William Segar, he died October 21, 1643.

he hopes to be at liberty to wait upon your lordship. I humbly rest

Your Lordship's for ever to honour and serve,

January 3, 1621. T. MEAUTYS.

To the right honourable my most honoured lord, the lord viscount St. Alban.

To the Lord Viscount ST. ALBAN.

May it please your Lordship,

THIS afternoon my lady found access to my lord marquis procured for her by my lord of Montgomery (*a*) and Sir Edward Sackville, who seemed to contend which of them should shew most patience in waiting, which they did a whole afternoon, the opportunity to bring my lord to his chamber, where my lady attended him. But when he was come, she found time enough to speak at large: and though my lord spake so loud, as that what passed was no secret to me and some others, that were within hearing; yet, because my lady told me she purposeth to write to your lordship the whole passage, it becomes not me to anticipate, by these, any part of her ladyship's relation.

I send your lordship herewith the proclamation for dissolving the parliament; wherein there is nothing forgotten, that we (*b*) have done amiss: but for most of those things, that we have well done, we must be fain, I see, to commend ourselves.

I delivered your lordship's to my lord of Montgomery, and Mr. Matthew, who was even then come to York-house to visit my lady, when I received the letter; and, as soon as he had read it, he said, that he had rather your lordship had sent him a challenge;

(*a*) Philip, afterwards earl of Pembroke.

(*b*) Mr. Meautys was member, in this parliament, for the town of Cambridge.

and that it had been easier to answer, than so noble and kind a letter. He intends to see your lordship some time this week; and so doth Sir Edward Sackville, who is forward to make my lady a way by the prince, if your lordship advise it.

There are packets newly come out of Spain: and the king, they say, seems well pleased with the contents; wherein there is an absolute promise, and undertaking, for restitution of the Palatinate; the dispensation returned already from the pope, and the match hastened on their parts. My lord Digby goes shortly; and Mr. Matthew tells me, he means, before his going, to write by him to your lordship.

The king goes not till Wednesday, and the prince certainly goes with him. My lord marquis, in person, christens my lord of Falkland's child to-morrow, at his house by Watford.

Mr. Murray (*c*) tells me, the king hath given your book (*d*) to my lord Brooke (*e*), and injoined him to read it, recommending it much to him: and then my lord Brooke is to return it to your lordship; and so it may go to the press, when your lordship pleases, with such amendments, as the king hath made, which I have seen, and are very few, and those rather words, as *epidemic*, and *mild* instead of *debonnaire*, &c. Only that of persons attainted, enabled to serve in parliament by a bare reversal of their attainder, the king by all means will have left out. I met with my lord Brooke, and told him, that Mr. Murray had directed me to wait upon him for the book, when he had done with it. He desired to be spared this week, as being to him a week of much business, and the next week I should have it: and he ended in a compliment, that care should be taken, by all means,

(*c*) Either John Murray of the king's bed-chamber, mentioned above in the letter of 21 January, 1614, or Thomas Murray, tutor and secretary to the prince, made provost of Eton-College, in the room of Sir Henry Saville, who died February 19, 1621-2. Mr. Murray died likewise, April 1, 1623.

(*d*) *The History of the Reign of King Henry the Seventh.*

(*e*) Fulk Grevile.

for good ink and paper to print it in; for that the book deserveth it.

I beg leave to kiss your lordship's hands.

Your Lordship's in all humbleness
to honour and serve,

January 7, 1621-2. T. MEAUTYS.

This proclamation is not yet sealed; and therefore your lordship may please, as yet, to keep it in your own hands.

To the Lord Viscount ST. ALBAN.

My most honoured Lord,

I MET, even now, with a piece of news so unexpected, and yet so certainly true, as that, howsoever I had much ado, at first, to desire the relater to speak probably; yet now I dare send it your lordship upon my credit. It is my lord of Somerset's and his lady's coming out of the Tower, on Saturday last (*a*), fetched forth by my lord of Falkland, and without the usual degrees of confinement, at first to some one place (*b*) but absolute and free to go where they please. I know not how peradventure this might occasion you to cast your thoughts, touching yourself, into some new mould, though not in the main, yet in something on the bye.

I beg leave to kiss your lordship's hands.

Your Lordship's in all humbleness,
for ever to honour and serve you,

T. MEAUTYS.

(*a*) January 6, 1621-2. *Camdeni Annales Regis Jacobi I. p.* 77.

(*b*) Camden *ubi supra*, says, "that the earl was ordered to confine himself to the lord viscount Wallingford's house or neighbourhood."

LODOWIC STEWART Duke of Lenox, to the Lord Viscount ST. ALBAN.

My Lord,

IT is not unknown to your lordship, that in respect I am now a married man, I have more reason than before to think of providing me some house in London, whereof I am yet destitute; and for that purpose, I have resolved to intreat your lordship, that I may deal with you for York-house; wherein I will not offer any conditions to your loss. And, in respect I have understood, that the consideration of your lady's wanting a house hath bred some difficulty in your lordship to part with it, I will for that make offer unto your lordship and your lady, to use the house in Cannon-row, late the Earl of Hertford's, being a very commodious and capable house, wherein I and my wife have absolute power; and whereof your lordship shall have as long time as you can challenge or desire of York-house. In this I do freelier deal with your lordship, in respect I know you are well assured of my well wishes to you in general; and that in this particular, though I have not been without thoughts of this house before your lordship had it; yet I was willing to give way to your lordship's more pressing use thereof then. And as I do not doubt of your lordship's endeavour to gratify me in this; so I shall esteem it as an extraordinary courtesy, which I will study to requite by all means.

So, with my best wishes to your lordship, I rest

Your Lordship's most loving friend,

LENOX.

In respect my lord of Buckingham was once desirous to have had this house, I would not deal for it till now, that he is otherwise provided.

Whitehall, the 29th of January, 1621.

To the right honourable my very good lord, my lord viscount St. Alban.

Answer of the Lord Viscount St. Alban.

My very good Lord,

I AM sorry to deny your grace any thing; but in this you will pardon me. York-house is the house, wherein my father died, and wherein I first breathed; and there will I yield my last breath, if so please God, and the king will give me leave; though I be now by fortune, as the old proverb is, like a bear in a monk's hood. At least no money, no value, shall make me part with it. Besides, as I never denied it to my lord marquis, so yet the difficulty I made was so like a denial, as I owe unto my great love and respect to his lordship a denial to all my other friends; among whom, in a very near place next his lordship, I ever account of your grace. So, not doubting, that you will continue me in your former love and good affection, I rest

Your Grace's, to do you humble service,

affectionate, &c.

To the Marquis of Buckingham.

My very good Lord,

AS my hopes, since my misfortunes, have proceeded of your lordship's mere motion, without any petition of mine; so I leave the times and the ways to the same good mind of yours. True it is, a small matter for my debts would do me more good now, than double a twelvemonth hence. I have lost six thousand pounds by year, besides caps and courtesies. But now a very moderate proportion would suffice; for still I bear a little of the mind of a commissioner of the treasury, not to be over-chargeable to his majesty; and two things I may assure your lordship of; the one, that I shall lead such a course of life, as whatsoever the king doth for me, shall rather sort to his majesty's and your lordship's honour, than to envy: the other, that whatsoever men talk, I can play the good husband, and the king's bounty shall not be

lost. If your lordship think good, the prince should come in to help; I know his highness wisheth me well; if you will let me know when, and how, he may be used. But the king is the fountain, who, I know, is good.

God prosper you.

Your Lordship's most bounden and faithful

Gorhambury, January 30, 1621. FR. ST. ALBAN.

To the Marquis of BUCKINGHAM.

My very good Lord,

Your lordship dealeth honourably with me in giving me notice, that your lordship is provided of an house (*a*) whereby you discontinue the treaty your lordship had with me for York-House, although I shall make no use of this notice, as to deal with any other. For I was ever resolved your lordship should have had it, or no man. But your lordship doth yet more nobly, in assuring me, you never meant it with any the least inconvenience to myself. May it please your lordship likewise to be assured from me, that I ever desired you should have it, and do still continue of the same mind.

I humbly pray your lordship, to move his majesty to take some commiseration of my long imprisonment. When I was in the Tower, I was nearer help of physic; I could parly with my creditors; I could deal with friends about my business; I could have helps at hand for my writings and studies, wherein I spend my time; all which here fail me. Good my lord, deliver me out of this; me, who am his majesty's devout beadsman, and

Your Lordship's most obliged friend
and faithful servant,

Gorhambury, this 3d of Feb. 1621. FR. ST. ALBAN.

(*a*) Mr. Chamberlain, in a MS. letter to Sir Dudley Carleton, dated at London, January 19, 1621-2, mentions, that the marquis of Buckingham had contracted with the lord and lady Wallingford, for *their house near Whitehall*, for some money.

JOHN SELDEN, Esq; to the Lord Viscount ST. ALBAN.

My most honoured Lord,

AT your last going to Gorhambury, you were pleased to have speech with me about some passages of parliament; touching which, I conceived, by your lordship, that I should have had farther direction by a gentleman, to whom you committed some care and consideration of your lordship's intentions therein. I can only give this account of it, that never was any man more willing or ready to do your lordship service, than myself; and in that you then spake of, I had been most forward to have done whatsoever I had been, by farther direction, used in. But I understood, that your lordship's pleasure that way was changed. Since, my lord, I was advised with, touching the judgments given in the late parliament. For them, if it please your lordship to hear my weak judgment expressed freely to you, I conceive thus. First, that admitting it were no session, but only a *convention*, as the proclamation calls it; yet the judgments give in the upper house, if no other reason be against them, are good; for they are given by the lords, or the upper house, by virtue of that ordinary authority, which they have as the supreme court of judicature; which is easily to be conceived, without any relation to the matter of session, which consists only in the passing of acts, or not passing them, with the royal assent. And though no session of the three states together be without such acts so passed; yet every part of the parliament severally did its own acts legally enough to continue, as the acts of other courts of justice are done. And why should any doubts be, but that a judgment out of the King's Bench, or Exchequer-Chamber, reversed there, had been good, although no session? For there was truly a parliament, truly an upper house, which exercised by itself this power of judicature, although no session.

Yet withal, my lord, I doubt, it will fall out, upon fuller consideration, to be thought a session also. Were it not for the proclamation, I should be clearly of that mind; neither doth the clause, in the act of subsidy, hinder it. For that only prevented the determination of the session at that instant; but did not prevent the being of a session, whensoever the parliament should be dissolved. But because that point was resolved in the proclamation, and also in the commission of dissolution on the 8th of February, I will rest satisfied.

But there are also examples of former times, that may direct us in that point of the judgment, in regard there is store of judgments of parliament, especially under Edward I. and Edward II. in such conventions, as never had, for aught appears, any act passed in them.

Next, my lord, I conceive thus; that by reason there is no record of those judgments, it may be justly thought, that they are of no force. For thus it stands. The lower house exhibited the declarations in paper; and the lords, receiving them, proceeded to judgment verbally; and the notes of their judgments are taken by the clerk, in the journal only; which, as I think, is no record of itself; neither was it ever used as one. Now the record, that in former times was of the judgments and proceedings there, was in this form. The accusation was exhibited in parchment; and being so received, and indorsed, was the first record; and that remained filed among the bills of parliament, it being of itself as the bills in the King's Bench. Then out of this there was a formal judgment, with the accusation entered into that roll, or second record, which the clerk transcribes by ancient use, and sends into the chancery.

But in this case there are none of these: neither doth any thing seem to help to make a record of it, than only this, that the clerk may enter it, now after the parliament; which, I doubt, he cannot. Because although in other courts the clerks enter all, and make their records after the term; yet in this parlia-

mentary proceeding it falls out, that the court being dissolved, the clerk cannot be said to have such a relation to the parliament, which is not then at all in being, as the prothonotaries of the courts of Westminster have to their courts, which stand only adjourned. Besides, there cannot be an example found, by which it may appear, that ever any record of the first kind, where the transcript is into the chancery, was made in parliament; but only sitting the house, and in their view. But this I offer to your lordship's farther consideration, desiring your favourable censure of my fancy herein; which, with whatsoever ability I may pretend to, shall ever be desirous to serve you, to whom I shall perpetually own myself

Your Lordship's most humble servant,

From the Temple, February XIV, CIↃDCXXI. J. SELDEN.

My Lord,

IF your lordship have done with that *Mascardus de Interpretatione Statutorum (a)*, I shall be glad, that you would give order that I might use it. And for that of 12 *Hen.* 7, touching the grand council in the manuscript, I have since seen a privy seal of the time of Henry 7. (without a year) directed to borrow for the king; and in it there is a recital of a grand council, which thought, that such a sum was fit to be levied; whereof the Lords gave 40,000l. and the rest was to be gotten by privy seal upon loan. Doubtless, my lord, this interprets that of the manuscript story.

On the back of this letter are the following notes by the lord viscount St. Alban.

" The case of the judgment in parliament, upon a " writ of error put by Just. Hu. *(b)*

(a) Alderani Mascardi communes conclusiones utriusque juris ad generalem statutorum interpretationem accommodatæ: printed at Ferrara, 1608.

(b) Hutton.

" The case of no judgment entered into the court " of augmentations, or survey of first fruits; which are " dissolved, where there may be an entry after, out of a " paper-book.

" *Mem.* All the acts of my proceeding were after " the royal assent to the subsidy."

To Mr. Tobie Matthew *(a)*.

Good Mr. Matthew,

In this solitude of friends, which is the base court (*b*) of adversity, where almost no body will be seen stirring, I have often remembered a saying of my lord ambassador of Spain (*c*), *Amor sin fin no tiene fin* (*d*). This moveth me to make choice of his excellent lordship for his noble succours towards not the aspiring but the respiring of my fortunes.

I, that am a man of books, have observed his lordship to have the magnanimity of his own nation, and the cordiality of ours; and, by this time, I think he hath the wit of both. Sure I am, that for myself I have found him, in both my fortunes, to esteem me so much above value, and to love me so much above possibility of deserving, or obliging on my part, as if he were a friend reserved for such a time as this. I have known his lordship likewise, while I stood in a stand where I might look about, a most faithful and respective friend to my lord marquis; who, next the king and the prince, was my raiser, and must be, he or none, I do not say my restorer, but my reliever.

I have, as I made you acquainted at your being with me, a purpose to present my lord marquis with an offer of my house and lands here at Gorhambury;

(*a*) This, and the following letter of March 5, 1611-2, to the marquis of Buckingham, are inserted from the originals, much more complete and exact, than the copies of them printed in his works.

(*b*) *Basse cour.*

(*c*) Count Gondomar, who returned to Spain about March 1621-2.

(*d*) *Love without ends hath no end.*

a thing, which, as it is the best means I have now left to demonstrate my affection to his lordship, so I hope it will be acceptable to him. This proposition I desire to put into no other hand but my lord ambassador's, as judging his hand to be the safest, the most honourable, and the most effectual for my good, if my lord will be pleased to deal in it. And when I had thus resolved, I never sought, nor thought of any mean but yourself, being so private, faithful, and discreet a friend to us both. I desire you therefore, good Mr. Matthew, to acquaint my lord ambassador with this overture; and both to use yourself, and desire at his lordship's hands secrecy therein; and withal to let his lordship know, that in this business, whatsoever in particular you shall treat with him, I shall not fail, in all points, to make good and perform.

Commend my humble service to his lordship. I ever rest

Your most affectionate and assured friend,

Gorhambury, Feb. 28, 1621. FR. ST. ALBAN.

To the Marquis of BUCKINGHAM.

My very good Lord,

THOUGH I have returned answer to your lordship's last letter by the same way, by which I received it; yet I humbly pray your lordship to give me leave to add these few lines.

My lord, as God above is witness, that I ever have loved and honoured your lordship, as much, I think, as any son of Adam can love or honour any subject, and continue in as hearty and strong wishes of felicity to be heaped and fixed upon you, as ever; so, as low as I am, I had rather sojourn in a college in Cambridge, than recover a good fortune by any other but yourself. Marry, to recover yourself to me, if I have you not, or to ease your lordship in any thing, wherein your lordship would not so fully appear, or to be made participant of your favours in

your own way, I would use any man, that were your lordship's friend; and therefore, good my lord, in that let me not be mistaken. Secondly, if in any of my former letters I have given your lordship distaste by the stile of them, or any particular passages, I humbly pray your lordship's benign construction and pardon. For, I confess, it is my fault, though it be some happiness to me withal, that I do most times forget my adversity. But I shall never forget to be

Your Lordship's most obliged friend,

March 5, 1621. *and faithful servant,*

Fr. St. Alban.

Fragments of several Kinds.

MY meaning was, if my lord should obtain for me, by his noble mediation, in consideration of my services past, and other respects to do that, for my relief which I was suitor for by my lord's noble mediation, and whereof I was in good hope to have presented my lord with Gorhambury in possession, out of gratitude and love, for nothing.

My meaning was, if my lord should prevail for me in my suit to the king for reward of services, and relief of my poor estate, to have presented him with Gorhambury, out of gratitude and love, for nothing, except some satisfaction to my wife, for her interest.

If my lord like better to proceed by way of bargain, so I find that I may but subsist, I will deserve of his honour, and express my love in a friendly penny-worth.

The third point to be added:

This as his work.] The more for kissing the king's hands presently.

The reasons, stalling my debts.

Willingness in my friends to help me.

None will be so bold as to oppress me.

The pretence, that the king would give me direction, in what nature of writings to expend my time.

The letter to expect yet, and the manner of the delivery.

That my lord do not impute it, if he hear I deal with others; for he shall better perceive the value, and I shall make it good to his lordship, being my state requireth speed.

To the Lord Viscount St. Alban.

May it please your Lordship,

REMEMBERING, that the letter your lordship put yesterday into my hand was locked up under two or three seals, it ran in my head, that it might be business of importance, and require haste; and not finding Mr. Matthew in town, nor any certainty of his return till Monday or Tuesday, I thought it became me to let your lordship know it, that so I might receive your lordship's pleasure, if need were, to send it by as safe a hand, as if it had three seals more.

My lord, I saw Sir Arthur Ingram, who let fall somewhat, as if he could have been contented to have received a letter by me from your lordship, with something in it like an acknowledgment to my lord treasurer (*a*), that by his means you had received a kind letter from my lord marquis. But, in the close, he came about, and fell rather to excuse what was left out of the letter, than to please himself much with what was in it. Only indeed he looked upon me, as if he did a little distrust my good meaning in it. But that is all one to me; for I have been used to it, of late, from others, as well as from him. But persons apt to be suspicious may well be borne with; for certainly they trouble themselves most, and lose most by it. For of such it is a hard question, whether those be fewest whom they trust, or those who trust them. But for him, and some others, I will end in a wish, that, as to your lordship's service, they might prove

(*a*) Lionel, lord Cranfield, made lord treasurer in October, 1621.

but half so much honester, as they think themselves wiser, than other men.

It is doubtful, whether the king will come to-morrow or not; for they say he is full of pain in his feet.

My lord marquis came late to town last night, and goeth back this evening: and Sir Edward Sackville watcheth an opportunity to speak with him before he go.

However, he wisheth that your lordship would lose no time in returning an answer, made all of sweetmeats, to my lord marquis's letter, which, he is confident, will be both tasted and digested by him. And Sir Edward wisheth, that the other letter to my lord marquis, for presenting your discourse of laws to his majesty, might follow the first. I humbly rest

Your Lordship's for ever truly

Martii 3, 1621.

to honour and serve you,

THO. MEAUTYS.

To the Lord Viscount ST. ALBAN.

May it please your Lordship,

I HAD not failed to appear this night upon your lordship's summons, but that my stay till to-morrow, I knew would mend my welcome, by bringing Mr. Matthew who means to dine with your lordship only, and so to rebound back to London, by reason my lord Digby's journey calls for him on the sudden. Neither yet was this all that stayed me; for I hear somewhat, that I like reasonably well; and yet I hope it will mend too; which is, that my lord marquis hath sent you a message by my lord of Falkland, which is a far better hand than my lord treasurer's that gives you leave to come presently to Highgate: and Sir Edward Sackville, speaking for the other five miles, my lord commended his care and zeal for your lordship, but silenced him thus: "Let my lord be ruled by

" me: it will be never the worse for him." But my lord marquis saying farther to him, " Sir Edward, " however you play a good friend's part for my lord " St. Alban; yet I must tell you, I have not been " well used by him." And Sir Edward desiring of him to open himself in whatsoever he might take offence at; and withal, taking upon him to have known so much from time to time, of your lordship's heart, and endeavours towards his lordship, as that he doubted not but he was able to clear any mist, that had been cast before his lordship's eyes by your enemies; my lord marquis, by this time being ready to go to the Spanish ambassador's to dinner, broke off with Sir Edward, and told him, that after dinner he would be back at Wallingford-house, and then he would tell Sir Edward more of his mind; with whom I have had newly conference at large, and traced out to him, as he desired me, some particulars of that, which they call a treaty with my lord treasurer about York-house, which Sir Edward Sackville knows how to put together, and make a smooth tale of it for your lordship; and this night I shall know all from him, and to-morrow, by dinner, I shall not fail to attend your lordship: till when, and ever, I rest

Your Lordship's in all truth

to honour and serve you,

T. MEAUTYS.

Indorsed,
Received March 11.

To HENRY CAREY, Lord Viscount FALKLAND (*a*.)

My very good Lord,

YOUR lordship's letter was the best letter I received this good while, except the last kind letter from my lord of Buckingham, which this confirmeth. It is the best accident, one of them, amongst men, when they hap to be obliged to those, whom naturally

(*a*) Appointed lord deputy of Ireland, September 8, 1622.

and personally they love, as I ever did your lordship; in troth not many between my lord marquis and yourself; so that the sparks of my affection shall ever rest quick, under the ashes of my fortune, to do you service; and wishing to your fortune and family all good.

Your Lordship's most affectionate,

and much obliged, &c.

I pray your lordship to present my humble service and thanks to my lord marquis, to whom, when I have a little paused, I purpose to write; as likewise to his majesty, for whose health and happiness, as his true beadsman, I most frequently pray.

Indorsed,

March 11, Copy of my answer to Lord Falkland.

To the Lord TREASURER (*a*).

My very good Lord,

I have received, by my noble friend, my lord Viscount Falkland, advertisement, as from my lord marquis, of three things, the one, that, upon his lordship's motion to his majesty, he is graciously pleased to grant some degree of release of my confinement. The second, that if I shall gratify your lordship, who, my lord understandeth, are desirous to treat with me about my house at London, with the same, his lordship will take it as well, as if it was done to himself. The third, that his majesty hath referred unto your lordship the consideration of the relief of my poor estate. I have it also from other part, yet by such, as have taken it immediately from my lord marquis, that your lordship hath done me to the king very good offices. My lord, I am much bounden to you: wherefore if you shall be pleased to send Sir Arthur Ingram, who formerly moved me in it for your lordship, to treat far-

(*a*) Lionel, Lord Cranfield.

ther with me, I shall let your lordship see how affectionately I am desirous to pleasure your lordship after my lord of Buckingham.

So wishing your lordship's weighty affairs, for his majesty's service, a happy return to his majesty's contentment, and your honour, I rest

Your Lordship's very affectionate

to do you service,

FR. ST. ALBAN.

Indorsed,

March 12. To the lord treasurer.

To the Lord TREASURER.

My very good Lord,

The honourable correspondence, which your lordship hath been pleased to hold with my noble and constant friend, my lord marquis, in furthering his majesty's grace towards me, as well concerning my liberty, as the consideration of my poor estate, hath very much obliged me to your lordship, the more by how much the less likelihood there is, that I shall be able to merit it at your lordship's hands. Yet thus much I am glad of, that this course, your lordship holds with me, doth carry this much upon itself, that the world shall see in this, amongst other things, that you have a great and noble heart.

For the particular business of York-house, Sir Arthur Ingram can bear me witness, that I was ready to leave the conditions to your lordship's own making: but since he tells me plainly, that your lordship will by no means have to be so, you will give me leave to refer it to Sir Arthur Ingram, who is so much your lordship's servant, and no less faithful friend to me, and understands values well, to set a price between us.

For the reference his majesty hath been graciously pleased, at my lord marquis's suit, to make unto your

lordship, touching the relief of my poor estate (*a*), which my lord of Falkland's letter hath signified, warranting me likewise to address myself to your lordship touching the same; I humbly pray your lordship to give it dispatch, my age, health, and fortunes, making time to me therein precious. Wherefore, if your lordship, who knoweth best what the king may best do, have thought of any particular, I would desire to know from your good lordship: otherwise I have fallen myself upon a particular, which I have related to Sir Arthur, and, I hope, will seem modest, for my help to live and subsist. As for somewhat towards the paying off my debts, which are now my chief care, and without charge of the king's coffers, I will not now trouble your lordship; but purposing to be at Chiswick, where I have taken a house, within this sevennight, I hope to wait upon your lordship, and to gather some violets in your garden, and will then impart unto you, if I have thought of any thing of that nature for my good.

So I ever rest, &c.

Thomas Meautys, Esq. to the Lord Viscount St. Alban.

May it please your Lordship,

I HAVE been attending upon my lord marquis's minutes for the signing of the warrant. This day he purposed in earnest to have done it: but it falls out untowardly, for the warrant was drawn, as your lordship remembers, in haste, at Gorhambury, and in as much haste delivered to Sir Edward Sackville, as soon as I alighted from my horse, who instantly put it into my lord marquis's hands, so that no copy could possibly be taken of it by me. Now his lordship hath searched much for it, and is yet at a loss, which I knew not

(*a*) The lord viscount St. Alban, in a letter to the king, from Gorhambury, 20th of March, 1921-2, thanks his majesty for *referring the consideration of his broken estate to his good lord the lord treasurer.*

till six this evening: and because your lordship drew it with caution, I dare not venture it upon my memory to carry level what your lordship wrote, and therefore dispatched away this messenger, that so your lordship, by a fresh post, for this will hardly do it, may send a warrant to your mind, ready drawn, to be here to-morrow by seven o'clock, as Sir Arthur (*a*) tells me my lord marquis hath directed: for the king goes early to Hampton-Court, and will be here on Saturday.

Your books (*b*) are ready, and passing well bound up. If your lordship's letters to the king, prince, and my lord marquis were ready, I think it were good to lose no time in their delivery; for the printer's fingers itch to be selling.

My lady hath seen the house at Chiswick, and may make a shift to like it: only she means to come to your lordship thither, and not go first: and therefore your lordship may please to make the more haste, for the great lords long to be in York-house.

Mr. Johnson will be with your lordship to-morrow; and then I shall write the rest.

Your Lordship's in all humbleness

and honour to serve you.

To Thomas Meautys, Esq.

Good Mr. Meautys,

FOR the difference of the warrant, it is not material at the first. But I may not stir till I have it; and therefore I expect it to-morrow.

For my Lord of London's (*c*) stay, there may be an error in my book (*d*); but I am sure there is none in me, since the king had it three months by him,

(*a*) Ingram.

(*b*) *History of the Reign of King Henry VII.*

(*c*) Dr. George Mountain.

(*d*) His *History of the Reign of King Henry VII.*

and allowed it: if there be any thing to be mended, it is better to be espied now than hereafter.

I send you the copies of the three letters, which you have; and, in mine own opinion, this demur, as you term it, in my lord of London, maketh it more necessary than before, that they were delivered, specially in regard they contain withal my thanks. It may be signified they were sent before I knew of any stay; and being but in those three hands, they are private enough. But this I leave merely at your discretion, resting

Your most affectionate and assured friend,

March 21, 1621. FR. ST. ALBAN.

To Mr. TOBIE MATTHEW.

Good Mr. Matthew,

I DO make account, God willing, to be at Chiswick on Saturday; or, because this weather is terrible to one, that hath kept much in, Monday.

In my letter of thanks to my lord marquis, which is not yet delivered, but to be forthwith delivered, I have not forgotten to mention, that I have received signification of his noble favour and affection, amongst other ways, from yourself by name. If, upon your repair to the court, whereof I am right glad, you have any speech with the marquis of me, I pray place the alphabet, as you can do it right well, in a frame, to express my love faithful and ardent towards him. And for York-house, that whether in a straight line, or a compass line, I meant it his lordship in the way, which I thought might please him best. I ever rest,

Your most affectionate and assured friend,

March 21, 1621. FR. ST. ALBAN.

Though your journey to court be before your receipt of this letter, yet it may serve for another time.

To the Queen of Bohemia.

It may please your Majesty,

I FIND in books, and books I dare alledge to your majesty, in regard of your singular ability to read and judge of them even above your sex, that it is accounted a great bliss for a man to have leisure with honour. That was never my fortune, nor is. For time was, I had honour without leisure; and now I have leisure without honour. And I cannot say so neither altogether, considering there remain with me the marks and stamp of the king's your father's grace, though I go not for so much in value as I have done. But my desire is now to have leisure without loitering, and not to become an abbey-lubber, as the old proverb was, but to yield some fruit of my private life. Having therefore written the reign of your majesty's famous ancestor, king Henry the seventh; and it having passed the file of his majesty's judgment, and been graciously also accepted of the prince, your brother, to whom it is dedicated, I could not forget my duty so far to your excellent majesty, to whom, for that I know and have heard, I have been at all times so much bound, as you are ever present with me, both in affection and admiration, as not to make unto you, in all humbleness, a present thereof, as now being not able to give you tribute of any service. If king Henry the Seventh were alive again, I hope verily he could not be so angry with me for not flattering him, as well pleased in seeing himself so truly described in colours that will last and be believed. I most humbly pray your majesty graciously to accept of my good will; and so, with all reverence, kiss your hands, praying to God above, by his divine and most benign providence, to conduct your affairs to happy issue; and resting

Your Majesty's most humble

and devoted servant,

April 20, 1622. Fr. St. Alban.

Sir EDWARD SACKVILLE to the Lord Viscount ST. ALBAN.

My very honoured Lord,

LONGING to yield an account of my stewardship, and that I had not buried your talent in the ground, I waited yesterday the marquis's pleasure, until I found a fit opportunity to importune some return of his lordship's resolution. The morning could not afford it; for time only allowed leave to tell him, I would say something. In the afternoon I had amends for all. In the forenoon he laid the law, but in the afternoon he preached the gospel; when, after some revivations of the old distaste concerning York-house, he most nobly opened his heart unto me, wherein I read that which argued much good towards you. After which revelation, the book was again sealed up, and must, in his own time, only by himself be again manifested unto you. I have leave to remember some of the vision, and am not forbidden to write it. He vowed, not court-like, but constantly, to appear your friend so much, as if his majesty should abandon the care of you, you should share his fortune with him. He pleased to tell me, how much he had been beholden to you; how well he loved you; how unkindly he took the denial of your house, for so he will needs understand it. But the close, for all this, was harmonious, since he protested he would seriously begin to study your ends, now that the world should see he had no ends on you. He is in hand with the work, and therefore will, by no means, accept of your offer; though, I can assure you, the tender hath much won upon him, and mellowed his heart towards you; and your genius directed you right, when you wrote that letter of denial unto the duke (*a*). The king saw it, and all the rest, which made him say unto the marquis, you played an after-game well;

(*a*) Of Lenox, of the 30th of January, 1621-2.

and that now he had no reason to be much offended.

I have already talked of the revelation, and now am to speak in apocalyptical language, which I hope you will rightly comment; whereof, if you make difficulty, the bearer (*b*) can help you with the key of the cypher.

My lord Falkland, by this time, hath shewed you London from Highgate. If York-house were gone, the town were yours; and all your straitest shackles cleared off, besides more comfort than the city-air only. The marquis would be exceedingly glad the treasurer had it. This I know; but this you must not know from me. Bargain with him presently, upon as good conditions as you can procure, so you have direct motion from the marquis to let him have it. Seem not to dive into the secret of it; though you are purblind if you see not through it. I have told Mr. Meautys how I would wish your lordship to make an end of it. From him, I beseech you, take it, and from me only the advice to perform it. If you part not speedily with it, you may defer the good which is approaching near you, and disappointing other aims, which must either shortly receive content, or never, perhaps, anew yield matter of discontent, though you may be, indeed, as innocent as before. Make the treasurer believe, that since the marquis will by no means accept of it, and that you must part with it, you are more willing to pleasure him than any body else, because you are given to understand my lord marquis so inclines; which inclination, if the treasurer shortly send unto you about it, desire may be more clearly manifested than as yet it hath been; since, as I remember, none hitherto hath told you *in terminis terminantibus*, that the marquis desires you should gratify the treasurer. I know that way the hare runs; and that my lord marquis longs until Cranfield hath it; and so I wish too, for your good, yet would not it were absolutely passed, until my lord marquis did

(*b*) Probably Mr. Meautys.

send or write, unto you, to let him have it; for then his so disposing of it were but the next degree removed from the immediate acceptance of it, and your lordship freed from doing it otherwise than to please him, and to comply with his own will and way.

I have no more to say, but that I am, and ever will be

Your Lordship's most affectionate friend
and humble servant,
E. SACKVILLE.

Indorsed,
Received the 11th May, 1622.

To the LORD KEEPER, Dr. WILLIAMS, Bishop of Lincoln.

My very good Lord,

I UNDERSTAND, there is an extent prayed against me and a surety of mine, by the executors of one Harris, a goldsmith. The statute is twelve years old, and falleth to an executor, or an executor of an executor, I know not whether. And it was sure a statute, collected out of a shop-debt, and much of it paid. I humbly pray your lordship, according to justice and equity, to stay the extent, being likewise upon a double penalty, till I may better inform myself touching a matter so long past, and if it be requisite, put in a bill, that the truth of the account appearing, such satisfaction may be made as shall be fit. So I rest

Your Lordship's affectionate,
to do you faithful service,
FR. ST. ALBAN.

May 30, 1622.

To the Marquis of BUCKINGHAM,

My very good Lord,

I THOUGHT it appertained to my duty, both as a subject, and as he that took once the oath of a counsellor, to make known to your lordship an advertisement, which came to me this morning. A gentleman, a dear friend of mine, whom your lordship cannot but imagine, though I name him not, to hold me thus much, that some English priests that negociated at Rome, to facilitate the dispensation, did their own business, that was his phrase; for they negociated with the pope to erect some titulary bishops for England, that might ordain, and have other spiritual faculties; saying withal most honestly, that he thought himself bound to impart this to some counsellor, both as a loyal subject, and as a catholic; for that he doubted it might be a cause to cross the graces and mercies, which the Catholics now enjoy, if it be not prevented; and he asked my advice, whether he should make it known to your lordship, or to my lord keeper (*a*), when he came back to London. I commended his loyalty and discretion, and wished him to address himself to your lordship, who might communicate it with my lord keeper, if you saw cause, and that he repaired to your lordship presently, which he resolved to do. Nevertheless, I did not think mine own particular duty acquitted, except I certified it also myself, borrowing so much of private friendship in a cause of state, as not to tell him I would do so much.

Indorsed,

My letter to my lord Marquis, touching the business of estate advertised by Mr. Matthew (*b*).

(*a*) Dr. Williams, bishop of Lincoln.

(*b*) The date of this letter may be pretty nearly determined by one of the lord keeper to the marquis of Buckingham, dated August 23, 1622, and printed in the *Cabala*. The postscript to that letter is as follows: "The Spanish ambassador took the alarm very speedily of

To the Lord Viscount ST. ALBAN.

My most honoured Lord,

I COME in these to your lordship with the voice of thanksgiving, for the continuance of your accustomed noble care of me and my good, which overtakes me, I find, whithersoever I go. But for the present itself, whereof your lordship writes, whether or no it be better than that I was wont to bring your lordship, the end only can prove. For I have yet no more to shew for it than good words, of which many times I brought your lordship good store. But because *modicefideans* were not made to thrive in court, I mean to lose no time from assailing my lord marquis, for which purpose I am now hovering about New-hall (*a*), where his lordship is expected, but not the king, this day, or to-morrow; which place, as your lordship adviseth, may not be ill chosen for my business. For, if his lordship be not very thick of hearing, sure New-hall will be heard to speak for me.

And now, my good lord, if any thing make me diffident, or indeed almost indifferent how it succeeds, it is this; that my sole ambition having ever been, and still is, to grow up only under your lordship, it is become preposterous, even to my nature and habit, to think of prospering or receiving any growth, either without or besides your lordship. And therefore let me claim of your lordship to do me this right, as to believe that which my heart says, or rather swears to me, namely, that what addition soever, by God's good providence, comes at any time to my life or fortune, it is, in my account, but to enable me the more to serve

" the titulary Roman bishop; and before my departure from his " house at Islington, whither I went privately to him, did write both " to Rome and Spain to prevent it. But I am afraid that Tobie " will prove but an apocryphal, and no canonical, intelligencer, " acquainting the state with this project for the Jesuits, rather than " for Jesus's sake."

(*a*) In Essex.

your lordship in both; at whose feet I shall ever humbly lay down all that I have, or am, never to rise thence other than

Your Lordship's in all duty

and reverent affections,

September 11, 1622. T. MEAUTYS.

To the Countess of BUCKINGHAM (*a*), Mother to the Marquis of BUCKINGHAM.

My very honourable good Lady,

YOUR ladyship's late favour and noble usage towards me were such, as I think your absence a great part of my misfortunes. And the more I find my most noble lord, your son, to increase in favour towards me, the more, out of my love to him, I wish he had often by him so loving and wise a mother. For, if my lord were never so wise, as wise as Solomon; yet, I find that Solomon himself, in the end of his Proverbs, sets down a whole chapter of advices, that his mother taught him.

Madam, I can but receive your remembrance with affection, and use your name with honour, and intend you my best service, if I be able, ever resting

Your Ladyship's humble

and affectionate servant,

Bedford-house, this 19th of October, 1622. FR. ST. ALBAN.

(*a*) Mary, daughter of Anthony Beaumont, a younger son of William Beaumont, of Cole-Orton, in Leicestershire. She was thrice married; 1. to Sir George Villiers, father of the duke of Buckingham: 2. to Sir William Rayner: and 3. to Sir Thomas Compton, knight of the bath, a younger brother of William, earl of Northampton. She was created countess of Buckingham, July 1, 1618, and died April 19, 1632.

To the Marquis of Buckingham.

My very good Lord,

I HAVE many things to thank your lordship for, since I had the happiness to see you; that your lordship, before your going out of town, sent my memorial to my lord treasurer: that your lordship offered, and received, and presented my petition to the king, and procured me a reference: that your lordship moved his majesty, and obtained for me access to him, against his majesty comes next, which in mine own opinion, is better than if it had been now, and will be a great comfort to me, though I should die next day after: that your lordship gave me so good English for my Latin book. My humble request is, at this time, that because my lord treasurer keepeth yet his answer in suspense, though by one, he useth to me, he speaketh me fair, that your lordship would nick it with a word: for if he do me good, I doubt it may not be altogether of his own.

God ever prosper you.

Your Lordship's most bounden

and faithful servant,

4th of November, 1622. Fr. St. Alban.

Memorial of Access (*a*).

It may please your Majesty,

I MAY now in a manner sing *nunc dimittis*, now I have seen you. Before methought I was scant in state of grace, but in a kind of utter darkness. And therefore, among other your mercies and favours, I

(*a*) This paper was written in Greek characters, soon after his access to king James I. which had been promised him in a letter of the marquis of Buckingham, from Newmarket, November 13, 1622.

do principally thank your majesty for this admission of me to kiss your hands.

I may not forget also to thank your majesty for your remission of my fine, for granting of my *quietus*, and general pardon; and your late recommendation of my debts; favours not small, specially to a servant out of sight, and out of use.

I beseech your majesty to give me leave to tell you what had, in my misfortunes, sustained me. Aristotle says, *Old men live by remembrance, young men by hope.* And so it is true, that young men live by hope, and fallen men by remembrance. Two remembrances have sustained me: the one, that since I had the prime vote in the lower house, to be first commissioner for the union, until the last assembly of parliament, I was chosen messenger of both houses, in the petitions of religion, which were my two first and last services, having passed a number of services of importance, your majesty never chid me; neither did ever any public service miscarry in my hands. This was the finishing act of my prosperity. The second was of my adversity, which, in few words, is this, that as my fault was not against your majesty; so my fall was not your act; and therefore I hope I shall live and die in your favour.

I have this farther to say in the nature of an humble oblation; for things once dedicated and vowed cannot lose their character, nor be made common. I ever vowed myself to your service. Therefore,

First, if your majesty do at any time think it fit, for your affairs, to employ me again publicly upon the stage, I shall so live and spend my time, as neither discontinuance shall disable me, nor adversity shall discourage me, nor any thing, that I shall do, give any scandal or envy upon me.

Secondly, if your majesty shall not hold that fit; yet, if it shall please you at any time to ask my opinion, or require my propositions privately by my lord marquis, or any of your counsellors, that is my friend, touching any commission or business; for, as Ovid said, *Est aliquid luce patente minus;* I shall be glad to be a labourer, or pioneer in your service.

Lastly, and chiefly, because your majesty is an universal scholar, or rather master, and my pen (as I may * it, passed * *) gained upon the world, your majesty would appoint me some task, or literary province, that I may serve you *calamo*, if not *consilio*.

I know that I am censured of some conceit of mine ability or worth: but I pray your majesty, impute it to desire, *possunt quia posse videntur*. And again, I should do some wrong to your majesty's school, if, in sixteen years access and near service, I should think I had learned, or laid in nothing.

May it please your majesty, I have borne your image in metal: and I shall keep it in my heart, while I live.

That his majesty's business never miscarried in my hands, I do not impute to any extraordinary ability in myself; but to my freedom from particular, either friends, or ends, and my careful receipt of his majesty's directions, being, as I have formerly said to him, but as a bucket and cistern to that fountain; a bucket to draw forth, a cistern to preserve.

I may allude to the three petitions of the Litany, *Libera nos, Domine; parce mihi, Domine, et exaudi nos, Domine.* First, the first, I am persuaded, his majesty had a mind to do it, and could not conveniently in respect of his affairs. For the second, he had done it in my fine and pardon. For the third, I had likewise performed, in restoring to the light of his countenance.

There be mountebanks, as well in the civil body as in the natural. I ever served his majesty with modesty; no shouldering, no undertaking.

Seneca saith, *Tam otii debet constare ratio quam negotii.* So I make his majesty oblation of both.

For envy, it is an almanack of the last year; and as a friend of mine said, the parliament died penitent towards me.

Of my offences, far be it from me to say, *dat veniam corvis, vexat censura Columbas:* but I will say, that I have good warrant for; *they were not the greatest offenders in Israel, upon whom the wall of Shilo fell.*

What the king bestowed upon me, will be farther seen, than upon Paul's steeple.

My story is proud. I may thank your majesty; for I heard him note of Tasso, that he could know which poem he made, when he was in good condition, and which when he was a beggar. I doubt he could make no such observation of me.

My lord hath done many things to shew his greatness. This of mine is one of them, that shews his goodness.

I am like ground fresh. If I be left to myself, I will grow and bear natural philosophy: but if the king will plough me up again, and sow me on, I hope to give him some yield.

Kings do raise and pull down with reason; but the greatest work is reasoning.

For my hap, I seek an *otium*, and, if it may be, a fat *otium*.

I am said to have a feather in my head. I pray God some are not wild in their head, that gird not well.

I am too old, and the seas are too long, for me to double the Cape of Good Hope.

Ashes are good for somewhat; for lees, for salts. But I hope I am rather embers than ashes, having the heat of good affections, under the ashes of my fortunes.

Your majesty hath power: I have faith. Therefore a miracle may be soon wrought.

I would live to study, and not study to live; yet I am prepared for *date obolum Bellisario;* and I that have borne a bag, can bear a wallet.

For my Pen.

If active, 1. The reconciling of laws.
2. The disposing of wards and generally education of youth.
3. Limiting the jurisdiction of courts, and prescribing rules for every of them.

Reglement of Trade.

If contemplative, 1. Going on with the story of Henry the Eighth.
2. General Treatise of *de Legibus et Justitiâ.*
3. The Holy War.

For my Lord of Buckingham.

These I rank high amongst his favours.

To the king of * * * that the goodness of his nature may strive with the goodness of his fortune.

He had but one fault, and that is, that you cannot mar him with any accumulating of honours upon him.

Now after this sunshine, and little dew, that save war.

Whales will overturn your boat, or bark, or of admiral, or other.

For the Prince.

Ever my chief patron.

The work of the father is creation; of the son redemption.

You would have drawn me out of the fire; now out of the mire.

To ask leave of the king to kiss the prince's hands, if he be not now present.

Indorsed,

Mem. of access.

To the Lord Viscount St. Alban.

My most honoured Lord,

SINCE my last to your lordship, I find, by Mr. Johnson, that my lord treasurer is not twice in one mind, or Sir Arthur Ingram not twice in one tale. For Sir Arthur, contrary to his speech but yes

terday with me, puts himself now, as it seems, in new hopes to prevail with my lord treasurer for your lordship's good and advantage, by a proposition, sent by Mr. Johnson, for the altering of your patent to a new mould, more safe than the other, which he seemed to dissuade, as I wrote to your lordship. I like my lord treasurer's heart to your lordship, so much every day worse than other, especially for his coarse usage of your lordship's name in his last speech, as that I cannot imagine he means you any good. And therefore, good my lord, what directions you shall give herein to Sir Arthur Ingram, let them be as safe ones, as you can think upon; and that your lordship surrender not your old patent, till you have the new under seal, lest my lord keeper should take toy, and stop it there. And I know your lordship cannot forget they have such a savage word among them, as *fleecing*. God in heaven bless your lordship from such hands and tongues; and then things will mend of themselves.

Your Lordship's, in all humbleness,

This Sunday morning. *to honour and serve you,*

T. MEAUTYS.

Indorsed, 25th of November [1622.]

To the Marquis of BUCKINGHAM.

My very good Lord,

I FIND my lord treasurer, after so many days and appointments, and such certain messages and promises, doth but mean to coax me, it is his own word of old, and to saw me asunder, and to do just nothing upon his majesty's gracious reference, nobly procured by your lordship for this poor remnant. My lord, let it be your own deed; and, to use the prayers of the Litany, good Lord deliver me from this servile de-

pendence; for I had rather beg and starve, than be fed at that door.

God ever prosper your lordship.

Your Lordship's most bounden

and faithful servant,

Bedford-house, this FR. ST. ALBAN.

Indorsed,

To Buckingham, about lord treasurer Cranfield's using of him.

Remembrances of the Lord Viscount ST. ALBAN, upon his going to the Lord Treasurer (*a*).

My Lord,

FOR past matters, they are memorial with me. I thank God I am so far from thinking to retrieve a fortune, as I did not mark where the game fell. I ascribe all to Providence. Your lordship hath greatness; and I hope you will line it with goodness. Of me you can have no use; but you may have honour by me, in using me well; for my fortune is much in your hands.

For Sir G. I heard by Sir Arthur (*b*), you thought well of my dealing to him; for so Ingram told me.

But I doubt he reported somewhat amiss of me, that procured that warrant; since which he thinks he may bring me to his own conditions, never comes to me, flies from that he had agreed; so to conclude with the letter upon even terms.

For the king, I must submit. Ingram told me there should be a favour in it, till I might sue to the king.

The sequestration as much as a resumption; for if it be as in the king's hands, all will go back; so it requires a farmer.

My pension and that the rewards of my long service, and relief of my present means. In parliament

(*a*) These are written in Greek characters.

(*b*) Ingram.

he said, he would not have me know what want meant.

LA. B. (*a*).

OF York-house garden:

Of New-hall:

Of my being with my lord treasurer:

Of my business.

It is well begun: I desire it may be your act.

It is nothing out of the king's purse: it laid fair; a third part of the profit.

The king bestows honour upon reward, one honour upon alms and charity.

Time, I hope, will work this, or a better.

I know my lord will not forsake me.

He can have but one mother. Friends wayfarers, some to Waltham, some to Ware, and where the ways part, farewel.

I do not desire to stage myself, nor pretensions, but for the comfort of a private life. Yet will I be ever at your and the king's call. Malcontent, or busy-body, I scorn to be.

Though my lord shall have no use of me, yet he shall have honour by me.

For envy, the almanack of that year, is past.

You may observe last parliament, though an high-aiming parliament, yet not a petition, not a clamour, not a motion, not a mention of me. Visitations by all the noblemen about the town.

A little will make me happy: the debts I have paid.

I shall honour my lord with pen and words; and be ready to give him faithful and free counsel, as ready, as when I had the seal; and mine ever *suavibus modis* for safety, as well as for greatness.

The king and the prince, I hear for certain, well affected.

To dine with:

To go to New-hall.

(*a*) Lady Buckingham, mother of the duke.

To the Marquis of Buckingham.

Excellent Lord,

I PERCEIVE this day, by Mr. Comptroller (*a*), that I live continually in your lordship's remembrance and noble purposes concerning my fortunes, as well for the comfort of my estate, as for countenancing me otherwise by his majesty's employments and graces; for which I most humbly kiss your hands, leaving the times to your good lordship; which, considering my age and wants, I assure myself, your lordship will the sooner take into your care. And for my house at Gorhambury, I do infinitely desire your lordship should have it; and howsoever I may treat, I will conclude with none, till I know your lordship's farther pleasure, ever resting

Your Lordship's most obliged

Bedford-house, this 5th of Feb. 1622 (*b*).

and faithful servant,

Fr. St. Alban.

To the Lord Viscount St. Alban.

My very good Lord,

I HAVE received, by this bearer, the privy seal for the survey of coals, which I will lay aside, until I shall hear farther from my lord Steward (*c*), and the rest of the lords.

I am ready to do as much as your lordship desireth, in keeping Mr. Cotton (*d*) off from the violence of

(*a*) Henry Cary, viscount Falkland.

(*b*) Two days before the marquis of Buckingham set out privately, with the prince, for Spain.

(*c*) Duke of Lenox.

(*d*) Probably the surety of lord Bacon, for the debt to Harris the goldsmith, mentioned in his lordship's letter of May 30, 1622.

those creditors: only himself is, as yet, wanting in some particular directions.

I heartily thank your lordship for your book; and all other symbols of your love and affection, which I will endeavour upon all opportunities to deserve: and, in the mean time, do rest

Your Lordship's assured faithful

Westminster-college, this 7th of February, 1622. *poor friend and servant,*

Jo. Lincoln, *C. S.*

To the right honourable his very good lord, the lord viscount St. Alban.

To the Marquis of Buckingham.

Excellent Lord,

THOUGH your lordship's absence (*a*) fall out in an ill time for myself; yet because I hope in God this noble adventure will make your lordship a rich return in honour, abroad and at home, and chiefly in the inestimable treasure of the love and trust of that thrice-excellent prince; I confess I am so glad of it, as I could not abstain from your lordship's trouble in seeing it expressed by these few and hasty lines.

I beseech your lordship, of your nobleness vouchsafe to present my most humble duty to his highness, who, I hope, ere long will make me leave king Henry the eighth, and set me on work in relation of his highness's adventures.

I very humbly kiss your lordship's hands, resting ever

Your lordship's most obliged

February 21, 1622. *friend and servant.*

To the Marquis of Buckingham.

Excellent Lord,

UPON the repair of my lord of Rochford unto your lordship, whom I have ever known so fast and

(*a*) In Spain.

true a friend and servant unto you: and who knows likewise so much of my mind and affection towards your lordship, I could not but kiss your lordship's hands, by the duty of these few lines.

My lord, I hope in God, that this your noble adventure will make you a rich return, especially in the inestimable treasure of the love and trust of that thrice-excellent prince. And although to a man, that loves your lordship so dearly, as I do, and knows somewhat of the world, it cannot be, but that in my thoughts there should arise many fears, or shadows of fears, concerning so rare an accident; yet nevertheless, I believe well, that this your lordship's absence will rather be a glass unto you, to shew you many things, whereof you may make use hereafter, than otherwise any hurt or hazard to your fortunes, which God grant. For myself, I am but a man desolate till your return, and have taken a course accordingly. Vouchsafe, of your nobleness, to remember my most humble duty to his highness. And so God, and his holy angels, guard you both going and coming.

Indorsed, March 10, 1622.

To Sir Francis Cottington, Secretary to the Prince.

Good Mr. Secretary,

THOUGH I wrote so lately unto you, by lord Rochford; yet upon the going of my lord Vaughan (*a*), the prince's worthy and trusty servant, and my approved friend, and your so near ally, I could not but put this letter into his hand, commending myself and my fortunes unto you. You know the difference of obliging men in prosperity and adversity, as much as

(*a*) He was son and heir of Walter Vaughan, of Golden Grove, in Caermarthenshire, Esq; and was created lord Vaughan in the year 1620. The Lord St. Alban, after he was delivered from his confinement in the Tower, was permitted to stay at Sir John Vaughan's house at Parson's Green, near Fulham.

the sowing upon a pavement and upon a furrow new made. Myself for quiet, and the better to hold out, am retired to Grey's-inn (*b*): for when my chief friends were gone so far off, it was time for me to go to a cell. God send us a good return of you all.

I ever rest, &c.

My humble service to my lord marquis, to whom I have written twice. I would not cloy him. My service also to the count Gondomar, and lord of Bristol.

Indorsed,

To Mr. Secretary, Sir Francis Cottington, March 22, 1622.

To the KING.

It may please your Majesty,

NOW that my friend is absent, for so I may call him still, since your majesty, when I waited on you, told me, that fortune made no difference, your majesty remaineth to me king, and master, and friend, and all. Your beadsman, therefore, addresseth himself to your majesty for a cell to retire into. The particular I have expressed to my very friend, Mr. Secretary Conway. This help, which costs your majesty nothing, may reserve me to do your majesty service, without being chargeable unto you: for I will never deny, but my desire to serve your majesty, is of the nature of the heart, that will be *ultimum moriens* with me.

God preserve your majesty, and send you a good

(*b*) In a MS. letter of Mr. Chamberlain to Sir Dudley Carleton, dated at London, March 8, 1622-3, is the following passage: "The "Lord of St. Alban is in his old remitter, and came to lie in his old "lodgings at Grey's Inn: which is the fulfilling of a prophecy of "one Lock, a familiar of his, of the same house, that knew him "*intus et in cute;* who, seeing him go thence in pomp, with the "great seal before him, said to divers of his friends, *We shall live to "have him here again.*"

return of the treasure abroad, which passeth all Indian fleets.

Your Majesty's most humble
and devoted servant,

March 25, 1623. FR. ST. ALBAN.

Indorsed,

To the king touching the provostship of Eton (*a*).

To Mr. Secretary CONWAY.

Good Mr. Secretary,

WHEN you did me the honour and favour to visit me, you did not only in general terms express your love unto me, but, as a real friend, asked me whether I had any particular occasion, wherein I might make use of you? At that time I had none: now there is one fallen. It is, that Mr. Thomas Murray, provost of Eton, whom I love very well, is like to die. It were a pretty cell for my fortune. The college and school, I do not doubt, but I shall make to flourish. His majesty, when I waited on him, took notice of my wants, and said to me, that, as he was a king, he would have care of me. This is a thing somebody

(*a*) Mr. Thomas Murray, the provost of that college, having been cut for the stone, died April 1, 1623. The lord keeper Williams, in an unpublished letter to the marquis of Buckingham, dated 11 April, 1623, has the following passage: "Mr. Murray, the provost of "Eton, is now dead: the place stayed by the fellows and myself "until your lordship's pleasure be known. Whomsoever your lord-"ship shall name I shall like of, though it be Sir William Becher, "though this provostship never descended so low. The king named "unto me yesterday morning Sir Albertus Morton, Sir Dudley "Carleton, and Sir [Robert] Aiton, our late queen's secretary. But "in my opinion, though he named him last, his majesty inclined to "this Aiton most. It will rest wholly upon your lordship to name "the man. It is somewhat necessary he be a good scholar, but "more that he be a good husband, and a careful manager, and "a stayed man; which no man can be, that is so much indebted as "the lord of St. Alban's."

would have; and costs his majesty nothing. I have written two or three words to his majesty, which I would pray you to deliver. I have not expressed this particular to his majesty, but referred it to your relation. My most noble friend, the marquis, is now absent. Next to him, I could not think of a better address than to yourself, as one likest to put on his affection. I rest

Your honour's very affectionate friend,

Grey's Inn, the 25th of March, 1623.

FR. ST. ALBAN.

Secretary CONWAY, to the Lord Viscount ST. ALBAN *.

* From the collections of Robert Stephens, Esq. deceased.

Right Honourable,

I do so well remember the motives, why I presented you so with my humble service, and particular application of it to your particular use, as I neither forget nor repent the offer. And I must confess a greater quickning could not have been added to my resolution to serve you, than the challenge you lay to my duty, to follow, in his absence, the affection of your most noble and hearty friend the marquis.

I lost no time to deliver your letter, and to contribute the most advantageous arguments I could. It seems your motion had been more than enough, if a former engagement to Sir William Becher upon the marquis his score had not opposed it.

I will give you his majesty's answer, which was; That he could not value you so little, or conceive you would have humbled your desires and your worth so low: That it had been a great deal of ease to him to have had such a scantling of your mind; to which he could never have laid so unequal a measure. His majesty adding further, that since your intentions moved that way, he would study your accommodation. And it is not out of hope, but that he may give some other contentment to Sir William Becher in due time, to accommodate your lordship, of

whom, to your comfort, it is my duty to tell you, his majesty declared a good opinion, and princely care and respect.

I will not fail to use time and opportunity to your advantage: and if you can think of any thing to instruct my affection and industry, your lordship may have the more quick and handsome proof of my sure and real intentions to serve you, being indeed

Your Lordship's affectionate servant,

Royston, March 27, 1623. ED. CONWAY.

To Count GONDOMAR, then in Spain.

Illustrissime Comes,

MULTA sunt, quæ mihi animos addunt, et quandam alacritatem conciliant, ut Dominationem tuam illustrissimam hoc tempore de meis fortunis compellam et deprecer. Primum, idque vel maximum, quod cum tam arcta regum nostrorum conjunctio jam habeatur pro transactâ, inde et tu factus sis intercessor tanto potentior; et mihi nullus jam subsit scrupulus universas fortunas meas viro tanto, licet extero, debendi et acceptas referendi. Secundum, quod cum ea, quæ dominatio tua illustrissima de me promisso tenus præsens impetraveras, neque ullam repulsam passa sint, neque tamen ad exitum perducta; videatur hoc innuere providentia divina, ut hoc opus me à calamitate erigendi planè tuum sit initio et fine. Tertium, quod stellæ duæ, quæ mihi semper fuerunt propitiæ, major et minor, jam splendent in urbe vestra, unde per radios auxiliares et benignos amoris erga me tui eum possint nancisci influxum, qui me in aliquo non indigno priore fortuna gradu collocet. Quartum, quod perspexi ex literis, quas ad amicum meum intimum dominum Tobiam Matthæum nuper scripsisti, memoriam mei apud te vivere et vigere, neque tantâ negotiorum arduorum et sublimium mole, quanta dom. tuæ incumbit, obrutam

esse aut extinctam. Postremum accidit et illud, quod postquam ex favore excellent. Domini marchionis ad regis mei conspectum et colloquium admissus fuerim, videar mihi in statu gratiæ collocatus. Non me allocutus est rex ut criminosum, sed ut hominem tempestate dejectum; et simul constantem meum ut perpetuum in sermone suo industriæ et integritatis tenorem prolixè agnovit, cum insigni, ut videbatur, affectu: unde major mihi oboritur spes, manente ejus erga me gratiâ, et extinctâ omni ex diuturnitate invidiâ, labores illustr. domin. tuæ pro me non incassum fore. Ipse interim nec otio me dedi, nec rebus me importunè immiscui, sed in iis vivo, et ea tracto, quæ nec priores, quos gessi, honores dedeceant, et posteris memoriam nominis mei haud ingratam fortasse relinquent. Itaque spero me non indignam fore materiam, in quâ et potentiæ et amicitiæ tuæ vis elucescat et celebretur; ut non minus in privatâ hominis fortunâ potuisse videaris, quam in negotiis publicis. Deus illustriss. dominationem tuam incolumen servet et felicitate cumulet.

Indorsed,

My lord St. Alban's first letter to Gondomar, into Spain, March 28, 1623.

To the Marquis of BUCKINGHAM, in Spain.

Excellent Lord,

FINDING so trusty a messenger as Sir John Epsley, I thought it my duty to put these few lines into his hands. I thank God, that those shadows, which either mine own melancholy, or my extreme love to your lordship, did put into my mind concerning this voyage of the prince and your lordship, rather vanish and diminish, than otherwise. The gross fear is past of the passage of France. I think you had the ring, which they write of, that, when the seal was turned to the palm of the hand, made men go invisible. Neither do I hear of any novelty here worth the esteeming.

There is a general opinion here, that your lordship is like enough to return, and go again, before the prince come: which opinion, whether the business lead you to do so or no, doth no hurt; for it keeps men in awe.

I find, I thank God, some glimmering of the king's favour, which your lordship's noble work of my access, no doubt, did chiefly cherish. I am much bound to Mr. Secretary Conway. It is wholly for your lordship's sake; for I had no acquaintance with him in the world. By that I see of him, he is a man fit to serve a great king, and fit to be a friend and servant to your lordship. Good my lord, write two or three words to him, both of thanks, and a general recommendation of me unto him.

Vouchsafe, of your nobleness, to present my most humble duty to his highness. We hear he is fresh in his person, and becomes this brave journey in all things. God provide all things for the best.

I ever rest, &c.

Indorsed, March 30, 1623.

To Mr. Secretary Conway.

Good Mr. Secretary,

I AM much comforted by your last letter, wherein I find, that his majesty, of his mere grace and goodness, vouchsafeth to have a care of me, a man out of sight, out of use; but yet his, as the Scripture saith, God knows those that are his. In particular, I am very much bound to his majesty, and I pray you, Sir, thank his majesty most humbly for it, that, notwithstanding the former designment of Sir William Becher, (*a*) his majesty, as you write, is not out of

(*a*) Sir William had not, however, that post; but, in lieu of it, the promise of 2500l. upon the fall of the first of the six clerks places, and was permitted to keep his clerkship of the council. MS. letter of Mr. Chamberlain to Sir Dudley Carleton, dated at London, July 24, 1624. The provostship was given to Sir Henry Wotton, who was instituted into it the 26th of that month, having purchased it by

hope, in due time, to accommodate me of this cell, and to satisfy him otherwise. Many conditions, no doubt, may be as contenting to that gentleman, and his years may expect them. But there will hardly fall, especially in the spent hour-glass of my life, any thing so fit for me, being a retreat to a place of study so near London, and where, if I sell my house at Gorhambury, as I purpose to do, to put myself in some convenient plenty, I may be accommodated of a dwelling for summer time. And therefore, good Mr. Secretary, further this his majesty's good intention, by all means, if the place fall.

For yourself, you have obliged me much. I will endeavour to deserve it: at least your nobleness is never lost; and my noble friend, the marquis, I know, will thank you for it.

I was looking of some short papers of mine touching usury (*b*), to grind the teeth of it, and yet make it grind to his majesty's mill in good sort, without discontentment or perturbation. If you think good, I will send it to his majesty, as the fruit of my leisure. But yet I would not have it come from me, not for any tenderness in the thing, but because I know, in courts of princes, it is usual, *non res, sed displicet auctor.* God keep your honour, &c.

Indorsed,

To Mr. Secretary Conway, touching the provostship of Eton, March 31, 1623.

a surrender of a grant of the reversion of the mastership of the rolls, and of another office, which was fit to be turned into present money, which he then, and afterwards, much wanted [Life of him by Mr. Isaac Walton :] for when he went to the election at Eton, soon after his being made provost, he was so ill provided, that the fellows of the college were obliged to furnish his bare walls, and whatever else was wanting. MS. letter of Mr. Chamberlain, Aug. 7, 1624.

(*b*) In his works is published, *A Draught of an Act against an usurious Shift of Gain, in delivering of Commodities instead of Money.*

To Count Gondomar.

Illustrissime Comes,

PRIMO loco, ut debeo, gratulor dominationi tuæ illustrissimæ novum honoris tui gradum per se sublimem, sed ex causâ, propter quam evectus es, haud parum nobilitatum. Profectio dom. Tobiæ Matthæi, qui mihi est tanquam alter ego, ut dominatio tua illustrissima optimè novit, in illas partes, memoriam mihi renovat eximii tui erga me favoris, cum me pluries, paulo ante discessum tuum, in campis, in urbe visitares, et prolixè de voluntate tuâ erga fortunas meas pollicereris. Quinetiam tam apud regem meum quam apud marchionem de illis sedulo ageres, ut etiam promissum ab illis de postulatis meis obtinueris. Quod si illo tempore quis mihi genius aut vates in aurem insusurrasset et dixisset, Mitte ista in præsens. Britannia est regio paulo frigidior: differ rem donec princeps Galliæ et marchio Buckinghamiæ et comes de Gondomar conveniunt in Hispaniâ, ubi hujusmodi fructus clementius maturescant: quin et viderit idem dom. Tob. Matthæum, qui illic, quemadmodum nunc, instabit, et negotium promovebit: scilicet risissem, sed fidem prorsus non adhibuissem. Quare, illustrissime comes, cum talia miracula edideris in fortunâ publicâ, etiam in fortunâ amici et cervi tui privatâ eniteat virtus tua. Miraculum enim potentiæ et fidei proles est. Tu potentiam habes, ego fide abundo, si modo digna sit res ad quam dominatio tua illustrissima manum salutarem porrigat. Id tempus optimè demonstrabit.

Cum nuper ad dominationem tuam illustrissimam scripserim, eo brevior fio. Hoc tantum à te peto, ut etiam inter negotia, quæ feliciter administras, consuetam digneris dom. Matthæo libertatem proponendi et consulendi apud te ea, quæ in rem meam fore videbimus.

Deus illustrissimam tuam dominationem servet incolumem, ut enixè optat, &c.

To the Earl of BRISTOL, Ambassador in Spain.

My very good Lord,

THOUGH I have written to your lordship lately, yet I could not omit to put a letter into so good a hand as Mr. Matthew's, being one, that hath often made known unto me, how much I am beholden to your lordship; and knoweth likewise in what estimation I have ever had your lordship, not according to your fortunes, but according to your inward value. Therefore, not to hold your lordship in this time of so great business, and where I have so good a mean as Mr. Matthew, who, if there be any thing that concerns my fortune, can better express it than myself, I humbly commend myself, and my service to your lordship, resting, &c.

To Sir FRANCIS COTTINGTON, Secretary to the PRINCE.

Good Mr. Secretary,

THOUGH I think I have cloyed you with letters, yet had I written a thousand before, I must add one more by the hands of Mr. Matthew, being as true a friend, as any you or I have; and one, that made me so happy, as to have the assurance of your friendship; which if there be any stirring for my good, I pray practise in so good a conjunction as his. I ever rest, &c.

To Mr. TOBIE MATTHEW.

Good Mr. Matthew,

BECAUSE Mr. Clarke is the first, that hath been sent since your departure, who gave me also the comfortable news, that he met you well, I could not but visit you with my letters, who have so often visited me with your kind conferences.

My health, I thank God, is better than when you left me; and, to my thinking, better than before my last sickness. This is all I need to write of myself to such a friend.

We hope well, and it is generally rather spoken, than believed, that his highness will return very speedily. But they be not the best pieces in painting, that are dashed out in haste. I hope, if any thing want, in the speed of time, it will be compensed in the fruit of time, that all may sort to the best.

I have written a few words of duty and respect only to my lord marquis, and Mr. Secretary. I pray you kiss the count of Gondomar's hand.

God keep you.

Your most affectionate and assured friend,

May 2, 1623. FR. ST. ALBAN.

To the Duke of BUCKINGHAM.

Excellent Lord,

I WRITE now only to congratulate with your grace your new honour (*a*); which because I reckon to be no great matter to your fortune, though you are the first English duke that hath been created since I was born, my compliment shall be the shorter. So having turned almost my hopes of your grace's return, by July, into wishes, and not to them neither, if it should be any hazard to your health, I rest, &c.

Vouchsafe, of your nobleness, to present my most humble duty to his highness. Summer is a thirsty time; and sure I am, I shall infinitely thirst to see his highness's and your grace's return.

(*a*) The title of duke, conferred on him May 18, 1623.

Duke of BUCKINGHAM to the Lord Viscount ST. ALBAN.

My good Lord,

I HAVE received your hearty congratulation for the great honour and gracious favour, which his majesty hath done me: and I do well believe, that no man is more glad of it than yourself.

Tobie Matthew is here; but what with the journey, and what with the affliction he endures, to find, as he says, that reason prevails nothing with these people, he is grown extreme lean, and looks as sharp as an eyas (*a*). Only he comforts himself with a conceit, that he is now gotten on the other side of the water, where the same reason, that is valuable in other parts of the world, is of no validity here: but rather something else, which yet he hath not found out.

I have let his highness see the good expressions of your lordship's care and faithful affection to his person; and shall ever be ready to do you, in all things, the best service that I can.

So wishing your lordship much happiness, I rest

Your Lordship's faithful friend,

Madrid, this 29th of May, 1623, *st. vet.*

and humble servant,

G. BUCKINGHAM.

To the Duke of BUCKINGHAM, in Spain.

Excellent Lord,

I HUMBLY thank your grace for your letter of the 29th of May; and that your grace doth believe, that no man is gladder of the increase of your honour and fortune, than I am; as, on the other part, no man

(*a*) A young hawk, just taken out of the nest.

should be more sorry, if it should in the least degree decline, nor more careful, if it should so much as labour. But of the first, I speak as a thing that is: but of the two latter, it is but a case put, which I hope I shall never see. And, to be plain with your grace, I am not a little comforted to observe, that, although in common sense and experience, a man would have doubted, that some things might have sorted to your prejudice; yet in particulars we find nothing of it. For a man might reasonably have feared, that absence and discontinuance might have lessened his majesty's favour: no such thing has followed. So likewise, that any, that might not wish you well, should have been bolder with you. But all is continued in good compass. Again, who might not have feared, that your grace being there to manage, in great part, the most important business of Europe, so far from the king, and not strengthened with advice there, except that of the prince himself, and thus to deal with so politic a state as Spain, you should be able to go through as you do? and yet nothing, as we hear, but for your honour, and that you do your part. Surely, my lord, though your virtues be great, yet these things could not be, but that the blessing of God, which is over the king and the prince, doth likewise descend upon you as a faithful servant; and you are the more to be thankful to God for it.

I humbly thank your grace, that you make me live in his highness's remembrance, whom I shall ever bear an heart to honour and serve. And I much joy to hear of the great and fair reputation, which at all hands are given him.

For Mr. Matthew, I hope by this time he hath gathered up his crumbs; which importeth much, I assure your grace, if his cure must be, either by finding better reason on that side the line, or by discovering, what is the motion, that moveth the wheels, that, if reason do not, we must all pray for his being in good point. But in truth, my lord, I am glad he is there; for I know his virtues, and particularly his devotion to your lordship.

God return his highness and your grace, unto us safe and sound, and according to your heart's desires.

To Mr. Tobie Matthew.

Good Mr. Matthew,

I have received your letter of the 10th of June (*a*), and am exceeding glad to hear you are in so good health. For that, which may concern myself, I neither doubt of your judgment in choosing the fittest time, nor of your affection in taking the first time you shall find fit. For the public business, I will not turn my hopes into wishes yet, since you write as you do; and I am very glad you are there, and, as I guess, you went in good time to his lordship.

For your action of the case, it will fall to the ground; for I have not heard from the duke, neither by letter nor message, at this time.

God keep you. I rest always

Your most affectionate and faithful servant,

Grey's-inn, 17th of June, 1623. Fr. St. Alban.

I do hear from Sir Robert Ker, and others, how much beholden I am to you.

To Mr. Tobie Matthew.

Good Mr. Matthew,

I THANK you for your letter of the 26th of June, and commend myself unto your friendship, knowing your word is good assurance, and thinking I cannot wish myself a better wish, than that your power may grow to your will.

Since you say the prince hath not forgot his commandment, touching my History of Henry VIII. I

(*a*) N. S.

may not forget my duty. But I find Sir Robert Cotton, who poured forth what he had, in my other work, somewhat dainty of his materials in this.

It is true, my labours are now most set to have those works, which I had formerly published, as that of *Advancement of Learning*, that of *Henry VII.* that of the *Essays*, being retractate, and made more perfect, well translated into Latin by the help of some good pens, which forsake me not, for these modern languages will, at one time or other, play the bankrupts with books: and since I have lost much time with this age, I would be glad, as God shall give me leave, to recover it with posterity.

For the essay of friendship, while I took your speech of it for a cursory request, I took my promise for a compliment. But since you call for it, I shall perform it (*a*).

I am much beholden to Mr. Gage for many expressions of his love to me: and his company, in itself very acceptable, is the more pleasing to me, because it retaineth the memory of yourself.

This letter of yours, of the 26th, lay not so long by you, but it hath been as speedily answered by me, so as with Sir Francis Cottington I have had no speech since the receipt of it. Your former letters, which I received from Mr. Griesley, I had answered before, and put my letter into a good hand.

For the great business, God conduct it well. Mine own fortune hath taught me expectation.

God keep you.

Indorsed,

To Mr. Matthew, into Spain.

(*a*) Among his *Essays*, published in quarto, and dedicated to the duke of Buckingham, is one upon *Friendship*.

To Mr. Tobie Matthew.

Good Mr. Matthew,

I HAVE received your letter sent by my lord of Andover; and, as I acknowledged your care, so I cannot fit it with any thing, that I can think on for myself; for since Gondomar, who was my voluntary friend, is in no credit, neither with the prince, nor with the duke, I do not see what may be done for me there; except that, which Gondomar hath lost, you have found; and then I am sure my case is amended: so, as with a great deal of confidence, I commend myself to you, hoping, that you will do what in you lieth, to prepare the prince and duke to think of me upon their return. And if you have any relation to the infanta, I doubt not but it shall be also to my use. God keep you.

Your most affectionate and assured friend, &c.

To the Duke of Buckingham.

Excellent Lord,

Though I have formerly given your grace thanks for your last letter, yet being much refreshed to hear things go so well, whereby we hope to see you here shortly, your errand done, and the prince within the vail; I could not contain, but congratulate with your lordship, seeing good fortune, that is God's blessing, still follow you. I hope I have still place in your love and favour; which if I have, for other place, it shall not trouble me. I ever rest

Your Grace's most obliged

July 22, 1623. *and faithful servant.*

To the Duke of BUCKINGHAM.

Excellent Lord,

UPON Mr. Clarke's dispatch, in troth I was ill in health, as he might partly perceive. Therefore I wrote to my true friend, and your grace's devoted servant, Mr. Matthew, to excuse me to your grace for not writing. Since, I thank God, I am pretty well recovered; for I have lain at two wards, one against my disease, the other against my physicians, who are strange creatures.

My lord, it rejoiceth me much, that I understand from Mr. Matthew, that I live in your grace's remembrance; and that I shall be the first man, that you will think on upon your return: which if your grace perform, I hope God Almighty, who hath hitherto extraordinarily blessed you in this rocky business, will bless you the more for my sake. For I have had extraordinary tokens of his divine favour towards me, both in sickness and in health, prosperity and adversity.

Vouchsafe to present my most humble duty to his highness, whose happy arrival will be a bright morning to all. I ever rest

Your Grace's most obliged
and faithful servant,

Grey's-inn, Aug. 29, 1623. FR. ST. ALBAN.

To Mr. TOBIE MATTHEW.

Good Mr. Matthew,

I HAVE gotten a little health: I praise God for it. I have therefore now written to his Grace, that I formerly, upon Mr. Clarke's dispatch, desired you to excuse me for not writing, and taken knowledge, that I have understood from you, that I live in his grace's

remembrance; and that I shall be his first man, that he will have care of upon his return. And although your absence be to me as uncomfortable to my mind, as God may make it helpful to my fortunes; yet it is somewhat supplied by the love, freedom, and often visitations of Mr. Gage; so, as when I have him, I think I want you not altogether.

God keep you.

Your most affectionate

and much obliged friend, &c.

Minutes of a Letter to the Duke of BUCKINGHAM.

THAT I am exceeding glad his grace is come home (*a*) with so fair a reputation of a sound protestant, and so constant for the king's honour and errand.

His grace is now to consider, that his reputation will vanish like a dream, except now, upon his return, he do some remarkable act to fix it, and bind it in.

They have a good wise proverb in the country, whence he cometh, taken I think from a gentlewoman's sampler, *Qui en no da nudo, pierdo punto*, "he "that tieth not a knot upon his thread, loseth his "stitch."

Any particular I, that live in darkness, cannot propound. Let his grace, who seeth clear, make his choice: but let some such thing be done, and then this reputation will stick by him; and his grace may afterwards be at the better liberty to take and leave off the future occasions, that shall present.

(*a*) The prince and duke arrived from Spain in London, October 6, 1623.

To the KING.

It may please your most excellent Majesty,

I SEND, in all humbleness, to your majesty, the poor fruits of my leisure. This book (*a*) was the first thing, that ever I presented to your majesty (*b*); and it may be, will be the last. For I had thought it should have been *potshuma proles*. But God hath otherwise disposed for a while. It is a translation, but almost enlarged to a new work. I had good helps for the language. I have been also mine own *index expurgatorius*, that it may be read in all places. For since my end of putting it into Latin was to have it read every where, it had been an absurd contradiction to free it in the language, and to pen it up in the matter. Your majesty will vouchsafe graciously to receive these poor sacrifices of him, that shall ever desire to do you honour, while he breathes, and fulfilleth the rest in prayers.

Your Majesty's true beadsman,

and most humble servant, &c.

Todos duelos con pan son buenos: itaque det vestra Majestas obolum Bellisario.

To the PRINCE.

It may please your excellent Highness,

I SEND your highness, in all humbleness, my book of *Advancement of Learning*, translated into Latin, but so inlarged as it may go for a new work. It is a

(*a*) *De Augmentis Scientiarum*, printed at London, 1623, in folio. The present to king James I, is in the royal library in the British Museum.

(*b*) *The two books of Sir Francis Bacon of the Proficiency and Advancement of Learning, Divine and Human:* printed at London, 1605, in quarto.

book, I think, will live, and be a citizen of the world, as English books are not. For Henry the Eighth, to deal truly with your highness, I did so despair of my health this summer, as I was glad to choose some such work, as I might compass within days; so far was I from entering into a work of length. Your highness's return hath been my restorative. When I shall wait upon your highness, I shall give you a farther account. So I most humbly kiss your highness's hands, resting

Your Highness's most devoted servant.

I would, as I wrote to the duke in Spain, I could do your highness's journey any honour with my pen. It began like a fable of the poets; but it deserveth all in a piece a worthy narration.

Conf. Buc. (*a*).

My Lord,

MY counsels bear not so high an elevation, as to have for their mark business of estate. That, which I level at, is your standing and greatness, which nevertheless I hold for a main pillar of the king's service.

For a parliament, I hold it then fit, when there have passed some more visible demonstrations of your power with the king, and your constancy in the way you are in: before not.

There are considerable, in this state, three sorts of men: the party of the papists, which hate you; the party of the protestants, including those they call puritans, whose love is yet but green towards you; and particular great persons, which are most of them reconciled enemies, or discontented friends: and you must think there are a great many, that will magnify you, and make use of you for the breaking of the match, or putting the realm into a war, which after will return to their old bias.

* *Conference with Buckingham.*

For particulars, it is good to carry yourself fair; but neither to trust too far, nor to apply too much, but keep a good distance, and to play your own game, shewing yourself to have, as the bee hath, both of the honey and of the sting.

The speech now abroad is, "My lord of Buckingham's head is full of thoughts: he hath a great task; either he must break, or the match must break. He was wont to go to the king's ways; but now he goeth cross his way, he will easily lose his way."

There is a point nice to be managed, yea, and tender to be spoken of, which is your carriage between the king and the prince; so that you may lose no manner of ground with the prince; and yet the king may not think himself the more solitary, nor that you adore too much the sun rising. Though this you may set down, that the way to have the king sure unto you is to keep great with the prince.

Conf. with Buc. December 17, 1623.

YOU march bravely: but methinks you do not draw up your troops.

You must beware of these your pardons. If we make men less in awe, and respect you, *urina chiara fa fico al medico.*

The points of the general advice.

If a war be proceeded in; to treat a strait league with France, under name of a renovation of the match with France. Three secret articles, the liberty of the German nation, whereof there is a fresh precedent of Henry the second of France, that took it into protection prosperously, and to the arrest of the emperor Charles's greatness. 2. The conservation of the liberties of the Low-Countries for the United Provinces, and open trade into the East and West Indies.

Offer of mine own service upon a commission into France.

My lord hath against him these disadvantages; the catholic party; the Spaniard; the envy and fear of par-

ticular great men; the nice point of carrying himself between the king and the prince.

The knot, which is to be tied for his reputation, must either be advancing or depressing of persons, or putting by, or forwarding of actions.

Conf. Buc. qu. and old store, January 2, 1623.

THERE is not an honester man in court than Montgomery (*a*).

To have some opportunity, by the D.'s means, to speak with the prince in presence of the duke.

To think, whether it be fit for me to speak with the king, and to seek access before parliament; if then.

The offer of my service to live a summer, as upon mine own delight, at Paris, to settle a fast intelligence between France and us.

I have somewhat of the French: I love birds, as the king doth, and have some childish mindedness, wherein we shall consent.

To think of Belfast's sending over into Ireland. Those, that find themselves obnoxious to parliament, will do all they can, that those things, which are likest to distaste the king, be first handled.

It is not to be forgotten, that as long as great men were in question, as in my case, all things went sweetly for the king. But the second meeting, when no such thing was, the pack went higher.

Weeding time is not yet come. Cott. Car. qu. of Car.

The battery will be chiefly laid on the prince's part, if they find any entry.

To be the author of some counsel to the prince, that tasteth of religion and virtue, lest it be imputed, that he entertains him only in pleasures, like a Pe. Ga.

The things remarkable for your grace, to fix and

(*a*) Philip, earl of Montgomery, afterwards of Pembroke.

bind in the reputation, which you have gained, must be either persons, or matters.

The doubt the prince is *mollis cera*, and formed *di ultima impression.* Therefore good to have sure persons about him, or at least none dangerous.

For the pardons to proceed, it is a tender business. First, whatsoever useth to be done in parliament is thankless. Then it is not good for his grace. It will make men bolder with him. *Urina chiara fa fico al medico.* Lastly, remove the envy from others, it may beat upon my lord himself, or the king.

Conf. B. January 2, 1623.

YOU have now tied a knot, as I wished you; *qui en no da nudo, pierdo punto* (*a*); a jolly one, the parliament. Although I could have wished, that before a parliament, some remarkable thing had been done, whereby the world might have taken notice, that you stand the same in grace and power with the king. But there is time enough for that between this and parliament (*b*). And besides, the very prevailing for a parliament sheweth your power with the king.

You march bravely. Do you draw up you troops so well?

One of these days I shall turn my lord Brooke, and say to you, *O brave Buckingham.*

I will commend you to all others, and censure you only to yourself.

You bowl well, if you do not horse the bowl an hand too much. You know the fine bowler is knee almost to ground in the delivery of the cast.

Nay, and the king will put a hook in the nostrils of Spain, and lay a foundation of greatness here to his children, in these west parts. The call for me, it is book-learning. You know the king was wont to do me the honour, as to say of me, *de minimis non curat lex:*

(*a*) "He that tieth not a knot upon his thread, loseth his stitch."
(*b*) It met February 19, 1623-4.

if good for any thing, for great volumes, I cannot thread needles so well.

The chamberlain (*c*): for his person, not effectual; but some dependences he hath, which are drawn with him. Besides, he can take no reputation from you.

Montgomery is an honest man, and a good observer. Can you do nothing with Naunton (*d*)? Who would think now, that I name Naunton to my lord of Buckingham? But I speak to you point-blank: no crooked end, either for myself, or for others turn.

The French treaty, besides alliance, is to have three secret articles: the one, the protection of the liberty of Germany, and to avoid from it all forces thence, like to that which was concluded between the Princes of Germany and Henry II. (*e*), the last king except Henry IV. of value in France; for the race of the Valois were *faitneants;* and, in the name of Germany, to conclude the Grisons and Valtoline. The second, the conserving the liberties of the Low-Countries. The third, the free trade into all parts of both East and West Indies. All these import no invasive hostility, but only the uniting of the states of Europe against the growing ambition of Spain. Neither do any of these touch upon the cause of religion.

I am persuaded, the hinge of the king's affairs, for his safety and greatness, is now in Spain. I would the king had an abler instrument.

Above all, you must look to the safety of Ireland, both because it is most dangerous for this state, for the disease will ever fall to the weakest part; and besides, this early declaration against Spain, which the popish party call abrupt, and is your grace's work, may be thought to be the danger of Ireland. It were good

(*c*) William, earl of Pembroke.

(*d*) Sir Robert Naunton, who had been secretary of state, and was now master of the court of wards.

(*e*) This league first arrested the greatness of the emperor, and cloistered him. *Note of Lord Bacon.*

you called to you Belfast (*f*) and Grandison (*g*), and ask their opinions, what is best to be done for the safety of Ireland, either by increasing the list of companies, and by contenting those that are in arrear, by paying; or by altering any governor there; or by having companies ready mustered and trained here, towards the coast of Ireland; or by having shipping in readiness, &c. For this gown commission, I like it well; but it is but paper-shot for defence.

If the papists be put in despair, it both endangereth Ireland, and maketh a greater difficulty in the treaty and alliance with France.

To think of a difference to be put between the Jesuits and other priests and papists, as to reduce, in some moderation, the banishment of the one, though not of the other: but to remember, that they were the reasonablest, as I take it, in the consult; and it may draw the blow of an assassin against Buckingham.

At least the going on with the parliament hath gained this, that the discourse has ceased, "My lord of Buck-"ingham hath a great task. His head is full: either "the match breaks, or his fortune breaks. He has "run his courses with the stream of the king's ways; "but now he goeth cross-way, he may soon lose his "own way."

If your grace go not now constantly on for religion, and round dealing with Spain, men will either think they were mistaken in you, or that you are brought about; or that your will is good, but you have no power.

Your grace hath a great party against you, and a good rough way. The Spaniards hate you: The Papists little better. In the opinion of the people, you are green, and yet not at a gage. Particulars are, for the most part, discontented friends or reconciled enemies: and that nice dividing between the *sol orient* and *occident*.

(*f*) Arthur Chichester, baron of Belfast, who had been made lord deputy of Ireland in 1604.

(*g*) Oliver St. John, viscount Grandison, made lord deputy of Ireland in August, 1616.

To the Duke of Buckingham.

Excellent Lord,

I DESIRE in this, which I now presume to write to your grace, to be understood, that my bow carrieth not so high as to aim to advise touching any of the great affairs now on foot, and so to pass it to his majesty through your hands; though it be true, that my good affection towards his majesty and the prince and the public is that which will last die in me; and though I think also his majesty would take it but well, if having been that man I have been, my honest and loyal mind should sometimes feed upon those thoughts. But my level is no farther, but to do the part of a true friend, in advising yourself for your own greatness and safety; although, even in this also, I assure myself I perform a good duty to the public service, unto which I reckon your standing and power to be a firm and sound pillar of support.

First, therefore, my lord, call to mind oft, and consider duly how infinitely your grace is bound to God in this one point, which I find to be a most rare piece, and wherein, either of antient or late times, there are few examples; that is, that you are beloved so dearly, both by the king and the prince. You are not as a Lerma, or an Olivares, and many others the like, who have insinuated themselves into the favours of young princes, during the kings, their fathers, time, against the bent and inclination of the kings: but contrariwise, the king himself hath knit the knot of trust and favour between the prince and your grace, wherein you are not so much to take comfort in that you may seem to have two lives in your own greatness, as in this, that hereby you are enabled to be a noble instrument for the service, contentment, and heart's-ease, both of father and son. For where there is so loving and indulgent a father, and so respective and obedient a son, and a faithful and worthy servant, interested in both their favours upon all occasions, it

cannot be but a comfortable house. This point your grace is principally to acknowledge and cherish.

Next, that, which I should have placed first, save that the laying open of God's benefits is a good preparation to religion and godliness, your grace is to maintain yourself firm and constant in the way you have begun; which is, in being, and shewing yourself to be, a true and sound Protestant. This is your soul's health. This is that you owe to God above, for his singular favours: and this is that which hath brought you into the good opinion and good will of the realm in general. So that, as your case differeth, as I said, from the case of other favourites, in that you have both king and prince; so in this, that you have also now the hearts of the best subjects, for I do not love the word *people*, your case differeth from your own, as it stood before. And because I would have your reputation in this point complete, let me advise you, that the name of Puritans in a Papist's mouth do not make you to withdraw your favour from such as are honest and religious men; so that they be not so turbulent and factious spirits, or adverse to the government of the church, though they be traduced by that name. For of this kind is the greatest part of the body of the subjects; and besides, which is not to be forgotten, it is safest for the king and his service, that such men have their dependence upon your grace, who are entirely the king's, rather than upon any other subject.

For the Papists, it is not unknown to your grace, that you are not, at this time, much in their books. But be you like yourself; and far be it from you, under a king and prince of that clemency, to be inclined to rigour or persecution.

But three things must be looked unto: the first, that they be suppressed in any insolency, which may tend either to disquiet the civil estate, or scandalise our church in fact; for otherwise, all their doctrine doth it in opinion. The second, that there be an end, or limit, of those graces, which shall be thought fit for them, and that there be not every day new demands hearkened to. The third, that for those cases and

graces, which they have received, or shall receive of the state, the thanks go the right way; that is, to the king and prince, and not to any foreigner. For this is certain, that if they acknowledge them from the state, they may perhaps sit down when they are well. But if they have a dependence upon a foreigner, there will be no end of their growing desires and hopes. And in this point also, your lordship's wisdom and moderation may do much good.

For the match with Spain, it is too great and dark a business for me to judge of. But as it hath relation to concern yourself, I will, as in the rest, deal freely with your grace.

My lord, you owe, in this matter, two debts to the king: the one, that, if in your conscience and judgment you be persuaded it be dangerous and prejudicial to him and his kingdoms, you deliver your soul, and in the freedom of a faithful counsellor, joined with the humbleness of a dutiful servant, you declare yourself accordingly, and shew your reasons. The other, that if the king in his high judgment, or the prince in his settled affection, be resolved to have it go on, that then you move in their orb, as far as they shall lay it upon you. But meanwhile, let me tell your grace, that I am not of the general opinion abroad, that the match must break, or else my lord of Buckingham's fortune must break. I am of another opinion; and yet perhaps it will be hard to make you believe it, because both sides will persuade you to the contrary. For they that would not have it go on will work upon that conceit, to make you oppose it more strongly. They that would have it go on will do the same, to make you take up betimes, and come about. But I having good affiance in your grace's judgment, will tell you my reasons why I thus think, and so leave it. If the match should go on, and put case against your counsel and opinion, doth any man think, that so profound a king, and so well seen in the science of reigning, and so understanding a prince, will ever suffer the whole sway of affairs and greatness to go that way? And, if not, who should

be a fitter person to keep the balance even than your grace, whom the king and prince know to be so intirely their own, and have found so nobly independent upon any other? Surely my opinion is, you are likely to be greater by counterpoise against the Spanish dependence, than you will by concurrence. And therefore, in God's name, do your duty faithfully and wisely; for behaving yourself well otherwise, as I know you will, your fortune is like to be well either way.

For that excellent lady, whose fortune is so distant from her merits and virtue, the queen of Bohemia, your grace, being as it were the first-born, or prime man of the king's creatures, must in consequence owe the most to his children and generations; whereof I know your noble heart hath far greater sense than any man's words can infuse into you. And therefore whatsoever liveth within the compass of your duty, and of possibility, will no doubt spring from you out of that fountain.

It is open to every man's discourse, that there are but two ways for the restitution of the Palatinate: treaty and arms. It is good, therefore, to consider of the middle acts, which may make either of these ways desperate, to the end they may be avoided in that way which shall be chosen. If no match, either this with Spain, or perhaps some other with Austria, no restitution by treaty. If the Dutch, either be ruined, or grow to a peace of themselves with Spain, no restitution by war.

But these things your grace understandeth far better than myself. And, as I said before, the points of state I aim not at farther, than they may concern your grace, to whom, while I live, and shall find it acceptable to you, I shall ever be ready to give the tribute of a true friend and servant, and shall always think my counsels given you happy, if you shall pardon them, when they are free, and follow them when they are good. God preserve and prosper you.

To the Duke of BUCKINGHAM (*a*).

Excellent Lord,

THERE is a suit, whereunto I may, as it were, claim kindred, and which may be of credit and profit unto me; and it is an old arrear which is called upon, from Sir Nicolas Bacon, my eldest brother. It may be worth to me perhaps two thousand pounds; and yet I may deal kindly with my brother, and also reward liberally, as I mean to do, the officers of the Exchequer, which have brought it to light. Good my lord, obtain it of the king, and be earnest in it for me. It will acquit the king somewhat of his promise, that he would have care of my wants; for hitherto, since my misfortunes, I have tasted of his majesty's mercy, but not of his bounty. But your lordship may be pleased in this, to clear the coast with my lord treasurer; else there it will have a stop. I am almost at last cast for means; and yet it grieveth me most, that at such a time as this I should not be rather serviceable to your grace, than troublesome.

God preserve and prosper your grace.

Your Grace's most obliged

and faithful servant,

This 23d of January, 1623. FR. ST. ALBAN.

To the Earl of OXFORD (*b*).

My very good Lord,

LET me be an humble suitor to your lordship, for your noble favour. I would be glad to receive my writ this parliament (*c*), that I may not die in disho-

(*a*) The duke's answer to this letter, dated at Newmarket, the 28th of January, 1623, is printed near the end of Vol. V.

(*b*) Henry Vere, who died in 1625. He was lord great chamberlain of England.

(*c*) That met February 19, 1623, and was prorogued May 29, 1624.

nour; but by no means, except it should be with the love and consent of my lords to re-admit me, if their lordships vouchsafe to think me worthy of their company; or if they think that which I have suffered now these three years, in loss of place, in loss of means, and in loss of liberty for a great time, to be a sufficient expiation for my faults, whereby I may now seem in their eyes to be a fit subject of their grace, as I have been before of their justice. My good lord, the good which the commonwealth might reap of my suffering, is already inned. Justice is done; an example is made for reformation; the authority of the house for judicature is established. There can be no farther use of my misery; perhaps some little may be of my service; for, I hope I shall be found a man humbled as a Christian, though not dejected as a worldling. I have great opinion of your lordship's power, and great hope, for many reasons, of your favour; which, if I may obtain, I can say no more but nobleness is ever requited in itself; and God, whose special favour in my afflictions I have manifestly found to my comfort, will, I trust, be my pay-master of that, which cannot be requited by

Your Lordship's affectionate

humble servant, &c.

Indorsed, February 2, 1623.

To Sir Francis Barnham (*a*).

Good Cousin,

UPON a little searching, made touching the patents of the survey of coals, I find matter not only to acquit myself, but likewise to do myself much right.

Any reference to me, or any certificate of mine, I

(*a*) He appears to be a relation of his lordship's lady, who was daughter of Benedict Barnham, Esq. alderman of the city of London. Sir Francis was appointed by his lordship one of the executors of his last will.

find not. Neither is it very likely I made any; for that, when it came to the great seal, I stayed it. I did not only stay it, but brought it before the council-table, as not willing to pass it, except their lordships allowed it. The lords gave hearing to the business, I remember, two several days; and in the end disallowed it, and commended my care and circumspection, and ordered, that it should continue stayed; and so it did all my time.

About a twelvemonth since, my lord duke of Lenox, now deceased (*b*), wrote to me to have the privy seal; which, though I respected his lordship much, I refused to deliver to him, but was content to put it into the right hand; that is, to send it to my lord keeper (*c*), giving knowledge how it had been stayed. My lord keeper received it by mine own servant, writeth backto me, acknowledging the receipt, and adding, that he would lay it aside until his lordship heard further from my lord steward (*d*), and the rest of the lords. Whether this first privy seal went to the great seal, or that it went about again, I know not: but all my part is, that I have related. I ever rest

Your faithful friend, and cousin,

March 14, 1623. FR. ST. ALBAN.

To the Duke of BUCKINGHAM.

My Lord,

I AM now full three years old in misery: neither hath there been any thing done for me, whereby I might die out of ignominy, or live out of want. But now that your grace, God's name be praised for it, hath recovered your health, and are come to the court, and the parliament business hath also intermission, I firmly hope your grace will deal with his

(*b*) He died suddenly, February 12, 1623-4.
(*c*) See his letter to lord St. Alban, of February 7, 1622.
(*d*) James, marquis of Hamilton, who died March 2, 1624-5.

majesty, that as I have tasted of his mercy, I may also taste of his bounty. Your grace, I know, for a business of a private man, cannot win yourself more honour; and I hope I shall yet live to do you service. For my fortune hath, I thank God, made no alteration in my mind, but to the better. I ever rest humbly

Your Grace's most obliged

and faithful servant,

FR. ST. ALBAN.

If I may know, by two or three words from your grace, that you will set in for me, I will propound somewhat that shall be modest, and leave it to your grace, whether you will move his majesty yourself, or recommend it by some of your lordship's friends, that wish me well; [as my lord of Arundel, or Secretary Conway, or Mr. James Maxwell (*a*).]

To the Duke of BUCKINGHAM.

Excellent Lord,

I UNDERSTAND, by Sir John Suckling, that he attended yesterday at Greenwich, hoping, according to your grace's appointment, to have found you there, and to have received your grace's pleasure touching my suit, but missed of you: and this day he sitteth upon the subsidy at Brentford, and shall not be at court this week: which causeth me to use these few lines, to hear from your grace, I hope to my comfort: humbly praying pardon, if I number thus the days, that misery should exceed modesty. I ever rest

Your Grace's most faithful

and obliged servant,

June 30, 1624. FR. ST. ALBAN.

(*a*) The words included in brackets have a line drawn after them.

To Sir RICHARD WESTON, Chancellor of the Exchequer.

Mr. Chancellor,

THIS way, by Mr. Myn, besides a number of little difficulties it hath, amounteth to this, that I shall pay interest for mine own money. Besides, I must confess I cannot bow my mind to be a suitor, much less a shifter, for that means, which I enjoy by his majesty's grace and bounty. And therefore I am rather ashamed of that I have done, than minded to go forward. So that I leave it to yourself, what you think fit to be done in your honour and my case, resting

Your very loving friend,

London, this 7th of July, 1624. FR. ST. ALBAN.

To the Duke of BUCKINGHAM.

Excellent Lord,

NOW that your grace hath the king private, and at better leisure, the noise of soldiers, ambassadors, parliaments, a little ceasing, I hope you will remember your servant; for at so good a time (*a*), and after so long a time, to forget him, were almost to forsake him. But, howsoever, I shall still remain

Your Grace's most obliged
and faithful servant,
FR. ST. ALBAN.

I am bold to put into my good friend, Sir Tobie Matthew's hand, a copy of my petition, which your grace had sent to Sir John Suckling.

Indorsed, August, 1624.

(*a*) This seems to refer to the anniversary thanksgiving-day for the king's delivery from the Gowry conspiracy, on the 5th of August, 1600.

To the Duke of BUCKINGHAM.

Excellent Lord,

I AM infinitely bound to your grace for your late favours. I send your grace a copy of your letter, signifying his majesty's pleasure, and of the petition. The course, I take it, must be, to make a warrant for the execution of the same, by way of reference to Mr. Chancellor of the Exchequer, and Mr. Attorney (*a*). I most humbly pray your grace, likewise, to prostrate me at his majesty's feet, with most humble thanks for the grant of my petition, whose sweet presence since I discontinued, methinks I am neither amongst the living, nor amongst the dead.

I cannot but likewise gratulate his majesty on the extreme prosperous success of his business, since this time twelvemonth. I know I speak it in a dangerous time; because the die of the Low-Countries is upon the throw. But yet that is all one. For if it should be a blow, which I hope in God it shall not, yet it would have been ten times worse, if former courses had not been taken. But this is the raving of an hot ague.

God evermore bless his majesty's person and designs, and likewise make your grace a spectacle of prosperity, as you have hitherto been.

Your Grace's most faithful and obliged,

and by your revived servant,

Grey's Inn, 9th of October, 1624. FR. ST. ALBAN.

(*a*) Sir Thomas Coventry.

To the Chancellor of the Duchy (*a*), Sir HUMPHRY MAY.

Good Mr. Chancellor,

I DO approve very well of your forbearance to move my suits, in regard the duke's return (*b*) is so near at hand, which I thought would have been a longer matter; and I imagine there is a *gratiastitium* till he come. I do not doubt but you shall find his grace nobly disposed. The last time you spake with him about me, I remember you sent me word, he thanked you for being so forward for me. Yet I could wish, that you took some occasion to speak with him, generally to my advantage, before you move to him any particular suit; and to let me know how you find him.

My lord treasurer sent me a good answer touching my monies. I pray you continue to quicken him, that the king may once clear with me. A fire of old wood needeth no blowing; but old men do. I ever rest

Yours to do you service.

(*a*) This letter is indorsed, 1625.

(*b*) From Paris, whither the duke of Buckingham went in May, 1625, to conduct the new queen to England.

Consultations in Parliament *anno* 1 *Caroli Regis*, at Westminster, anno Domini 1625 (*a*).

[Found among Lord Bacon's Papers.]

THE consultations now in parliament may be regulated into these four heads following.

1. The state of the king in the constant revenue of his crown.
   - 1. What it was; and how far the *introitus et exitus* there ordered. Vide my book of a medium for ten years before *primo Jacobi regis*.
   - 2. What now it is in clear revenue, either by
     - Lands;
     - Customs and impositions;
     - Casualties.
   - 3. The means how it is abated by
     - Gifts of land, *ex mero motu*, and no valuable consideration.
     - This may be revoked.
     - Grants of pensions, now 120000l. before but 18000l. Good times have resumed them upon necessity.
     - Increase of houshold, from 45000l. to 80000l.
     - The purveyors more, and the tables less furnished than formerly.
     - Fruitless ambassages with larger allowance than formerly. To reduce them to the ordinary of the late queen.
     - Treble increase of the privy purse. Double increase of the treasury of the chamber and great wardrobe. In all, by not using the best course of assignments, whereby the creditor is delayed in his payment, and the king surcharged in the price.
     - The exchequer-man making his best profit from the king's wants.

(*a*) This parliament met on the 18th of June, and was dissolved August 12, 1625.

- 2. The condition of the subject in his freedom and fortune.
  - 1. Formerly in taxes by parliament.
    - Subsidies and fifteenths, spent only in defence of the states, or aid of our allies.
    - Tonage and poundage employed in guard of the seas.
    - Loans rarely, and that employed entirely for the public.
    - Imposition by prerogative, of old custom, rated easily by the book of rates, if any, either limited to time or measure.
  - 2. Now in
    - Custom enhanced by the new books of rates. Impositions and monopolies multiplied; and this settled to continue by grants.
    - Tonage and poundage levied, though no act of parliament, nor the seas guarded. The times, the ways, and the persons, that induce these.

- 3. The employment or waste of treasure.
  - 1. Public treasure is to be examined.
    - What sums have been granted for the defence of the state these last three years.
    - How in particular spent and where.
    - By what advice, as by direction of
      1. The council of war appointed by parliament.
      2. By full order of the council.
      3. By any other than those, and by whom.
  - 2. The king's subjects.
    - How many, and when transported, or employed, as to
      1. The Palatinate.
      2. Count Mansfield.
      3. Land soldiers in the last fleet.
      - The design, where they were sent.
      - The council, that directed it.
      - The success of the action, and the return of the persons in number, and the loss.

3. In ships and munition of
- 4. Our own.
  - The number and quantity employed severally.
  - The manner of imbarking these ships, and what prejudice and discouragement of trade.
  - The council, that directed such employments.
  - The several successes, as at Algier, and Cadiz.
- 5. Strangers, as prize.
  - 6. Allies.
    - Hired by contract to serve, and how used: or
    - Taken as prize: if so,
    - How then delivered and dealt withal in the course of justice.
    - What success hath followed upon injustice done them: as the arrest of our goods in France and Germany, whereby our goods are at a stand for vent.
    - The number and true value of the goods.
    - The account made to his majesty or his officers, for it.
  - 7. Enemies. The dismissing and discharging of any of them and the goods, namely,
    1. By whom the direction.
    2. The pretence.
    3. The value of the goods.
    4. The place whither they went.

Under this head will fall the complaint of Dover.

- A nation feared, renowned, victorious.
- It made the Netherlands there a state when it was none.
- Recovered Henry IV. of France's kingdom, when he had nothing left but the town of Dieppe.
- Conquered the invincible navy of Spain in 1588.
- Took towns in Portugal the year following, and marched 100 miles upon the firm land.
- Fired, or brought away, the Spanish

4. Honour of the king and state, which, as in all other, consists more *in fumâ* than *vi*.

1. How formerly we stood.
- navy before Cadiz, and sacked the town.
- Took the Spanish ships daily, and spoiled the Port-Towns of the West-Indies, never losing but one ship during all the Spanish wars.
- Reduced the ambition of that king for a fifth monarchy to so low an ebb, that in one year he paid 2500 millions of ducats for interest, so as after he was inforced to beg treaties of peace, in low terms, at the last queen regent's hands.
- A carriage and readiness in the people to assist their sovereign in their purse and person.

2. The cause of the good success then.
- A wisdom and gravity of council, who ordered nothing but by public debate, and then assisted by the military professors, either by land or sea, of the best repute, and such only employed.

3. In what condition.

4. Loss in reputation by the ill success.
- In the voyage of Algier.
- In the Palatinate.
- In the journey with Mansfield.
- In this last to Cadiz (*b*)

Condition we now stand by

5. The reasons.
- The unchearfulness we have either to adventure our purses or goods, occasioned by a distrust we have of the successes.
- The want of the like courses and counsels, that were formerly used.

I could wish, that for every of these four heads there were a particular committee to examine an apt report for the houses; and the houses, upon every report to put itself into a Committee of the whole assembly; and after a full and deliberate debate, to order a model, or form, for a conference with the lords: and so, together, humbly to present unto his majesty a remonstrance of their labour; offering withal a serious consultation and debate amongst

(*b*) In October, 1625.

themselves for the finding out the fittest manner both for the defence of the state and our allies, reformation of the errors, and a constant way to raise such supplies of money and necessaries, as may enable his majesty to proceed chearfully, and I hope assuredly, in this his glorious action, not only for himself and the state, but for all that profess the same religion, and are like to be overwhelmed in the ambition of the Spanish monarchy.

To Sir Robert Pye.

Good Sir Robert Pye,

LET me intreat you to dispatch that warrant of a petty sum, that it may help to bear my charge of coming up (*a*) to London. The duke, you know, loveth me, and my lord treasurer (*b*) standeth now towards me in very good affection and respect (*c*). You that are the third person in these businesses, I assure myself, will not be wanting; for you have professed and shewed, ever since I lost the seal, your good will towards me. I rest

Your affectionate and assured friend, &c,

Indorsed,

To Sir Robert Pye. Gor. 1625.

(*a*) From Gorhambury.

(*b*) Sir James Lord Ley, advanced from the post of lord chief justice of the King's Bench, on the 20th of December, 1624, to that of lord treasurer; and created earl of Marlborough on the 5th of February, 1625-6.

(*c*) His lordship had not been always in that disposition towards the lord viscount St. Alban; for the latter, in a letter to this lord treasurer, severely expostulated with him about his unkindness and injustice.

To the Earl of Dorset (*a*).

My very good Lord,

THIS gentleman, the bearer hereof, Mr. Colles by name, is my neighbour. He is commended for a civil young man. I think he wanteth no metal, but he is peaceable. It was his hap to fall out with Mr. Matthew Francis, serjeant at arms, about a toy; the one affirming, that a hare was fair killed, and the other foul. Words multiplied, and some blows passed on either side. But since the first falling out, the serjeant hath used towards him divers threats and affronts; and, which is a point of danger, sent to him a letter of challenge: but Mr. Colles, doubting the contents of the letter, refused to receive it. Motions have been made also of reconcilement, or of reference to some gentlemen of the country not partial: but the serjeant hath refused all, and now, at last, sueth him in the earl marshal's court. The gentleman saith, he distrusteth not his cause upon the hearing; but would be glad to avoid restraint, or long and chargeable attendance. Let me therefore pray your good lordship to move the noble earl (*b*) in that kind, to carry a favourable hand towards him, such as may stand with justice and the order of that court. I ever rest

Your Lordship's faithful friend and servant,

Indorsed,

To E. Dorset. Gor. 1625.

(*a*) Sir Edward Sackville succeeded to that title on the death of his brother Richard, March 28, 1624.

(*b*) Arundel, earl marshal.

Sir THOMAS COVENTRY, Attorney General, to the Lord Viscount ST. ALBAN.

My very good Lord,

I RECEIVED from your lordship two letters, the one of the 23d, the other of the 28th of this month. To the former I do assure your lordship I have not heard any thing of any suits or motion, either touching the reversion of your honours, or the rent of your farm of petty writs; and, if I had heard any thing thereof, I would not have been unmindful of that caveat, which heretofore you gave in by former letters, nor slack to do you the best service I might.

The debt of Sir Nicolas Bacon resteth as it did; for in the latter end of king James's time, it exhibited a *quo warranto* in the Exchequer, touching that liberty, against Sir Nicolas, which abated by his death; then another against Sir Edmund, which by the demise of the king, and by reason of the adjournment of the late term, hath had no farther proceeding, but that day is given to plead.

Concerning your other letter, I humbly thank your lordship for your favourable and good wishes to me, though I, knowing my own unaptness to so great an employment (*a*), should be most heartily glad, if his majesty had, or yet would choose, a man of more merit. But, if otherwise, humbleness and submission becomes the servant, and to stand in that station where his majesty will have him. But as for the request you make for your servant, though I protest I am not yet engaged by promise to any, because I hold it too much boldness towards my master, and discourtesy towards my lord keeper (*b*), to dispose of places, while he had the seal: yet in respect I have

(*a*) That of the great seal, of which Sir Thomas Coventry was three days after made lord keeper, on the 1st of November, 1625.

(*b*) Bishop Williams, who had resigned the great seal, on the 25th of October, 1625, to Sir John Suckling, who brought his majesty's warrant to receive it, dated at Salisbury on the 23d of that month.

some servants, and some of my kindred, apt for the place you write of, and have been already so much importuned by noble persons, when I lately was with his majesty at Salisbury, as it will be hard for me to give them all denial; I am not able to discern, how I can accommodate your servant; though for your sake, and in respect of the former knowledge myself have had of the merit and worth of the gentleman, I should be most ready and willing to perform your desire, if it were in my power. And so, with remembrance of my service to your lordship, I remain,

At your Lordship's commandment,

Kingsbury, Oct. 29, 1625. THO. COVENTRY.

To the right honourable and my very good lord the viscount St. Alban.

To Mr. ROGER PALMER.

Good Mr. Roger Palmer,

I THANK God, by means of the sweet air of the country, I have obtained some degree of health. Sending to the court, I thought I would salute you: and I would be glad, in this solitary time and place, to hear a little from you how the world goeth, according to your friendly manner heretofore.

Fare ye well most heartily.

Your very affectionate and assured friend,

Gorhambury, Oct. 29, 1625. FR. ST. ALBAN.

To the Duke of BUCKINGHAM.

Excellent Lord,

I COULD not but signify unto your grace my rejoicing, that God hath sent your grace a son and heir (*a*), and that you are fortunate as well in your

(*a*) Born November 17, 1625, and named Charles. Diary of the Life of Archbishop Laud, published by Mr. Wharton, p. 24. This son of the duke died the 16th of March, 1626-7. Ibid. p. 40.

house, as in the state of the kingdom. These blessings come from God, as I do not doubt but your grace doth, with all thankfulness, acknowledge, vowing to him your service. Myself, I praise his divine majesty, have gotten some step into health. My wants are great; but yet I want not a desire to do your grace service: and I marvel, that your grace should think to pull down the monarchy of Spain without my good help. Your grace will give me leave to be merry, however the world goeth with me. I ever rest

Your Grace's most faithful,
and obliged servant, &c.

I wish your grace a good new year.

To Sir Humphry May, Chancellor of the Duchy of Lancaster.

Good Mr. Chancellor,

I DID wonder what was become of you, and was very glad to hear you were come to court; which, methinks, as the times go, should miss you as well as I.

I send you another letter, which I wrote to you of an old date, to avoid repetition; and I continue my request then to you, to sound the duke of Buckingham's good affection towards me, before you do move him in the particular petition. Only the present occasion doth invite me to desire, that his grace would procure me a pardon of the king of the whole sentence. My writ for parliament I have now had twice before the time, and that without any express restraint not to use it. It is true, that I shall not be able, in respect of my health, to attend in parliament; but yet I might make a proxy. Time hath turned envy to pity; and I have a long cleansing week of five years expectation and more. Sir John Bennet hath his pardon; and my lord of Somerset hath his pardon, and, they say, shall sit in parliament. My lord of Suffolk

cometh to parliament, though not to council. I hope I deserve not to be the only outcast.

God keep you. I ever rest

Your most affectionate friend,

to do you service.

I wish you a good new year.

Indorsed,

To the chancellor of the Duchy. Gor. 1625.

To the Marquis d'Effiat, the French Ambassador.

Mons. l'Ambassadeur, mon fils,

VOUS scavez que le commencement est la moitié du fait. Voyla pourquoy je vous ay escrit ce petit mot de lettre, vous priant de vous souvenir de vostre noble promesse de me mettre en la bonne grace de nostre tres-excellente Royne, & m'en faire recevoir quelque gracieuse demonstration. Vostre Excellence prendra aussi, s'il vous plaist, quelque occasion de prescher un peu à mon avantage en l'oreille du Duc de Buckingham en general. Dieu vous ayt en sa saincte garde.

Vostre tres-affectionné

et tres humble serviteur,

January 18, 1625.

Fr. St. Alban.

The following letters, wanting both date and circumstances to determine such dates, are placed here together.

To the Lord TREASURER *.

* From the original draught in the library of queen's college, Oxford, Arch. D. 2.

It may please your honourable Lordship,

I ACCOUNT myself much bound to your lordship for your favour shewed to Mr. Higgins upon my commendations about Pawlet's wardship; the effect of which your lordship's favour, though it hath been intercepted by my lord deputy's suit, yet the signification remains: and I must in all reason consent and acknowledge, that your lordship had as just and good cause to satisfy my lord deputy's request, as I did think it unlikely, that my lord would have been suitor for so mean a matter.

So this being to none other end but to give your lordship humble thanks for your intended favour, I commend your lordship to the preservation of the Divine Majesty.

From Grey's Inn.

To Sir FRANCIS VERE *.

* Id. ib.

SIR,

I AM to recommend to your favour one Mr. John Ashe, as to serve under you, as agent of your company; whose desire how much I do affect, you may perceive if it be but in this, that myself being no further interested in you, by acquaintance or deserving, yet have intruded myself into this commendation; which, if it shall take place, I shall by so much the more find cause to take it kindly, by how much I find less cause in myself to take upon me the part of a mover or commender towards you, whom nevertheless I will not so far estrange myself from, but that in a

general or mutual respect, incident to persons of our qualities and service, and not without particular inducements of friendship, I might, without breaking decorum, offer to you a request of this nature, the rather honouring you so much for your virtues, I would gladly take occasion to be beholden to you; yet no more gladly than to have occasion to do you any good office. And so this being to no other end, I commend you to God's goodness.

From my chamber at the

To Mr. Cawfeilde *.

SIR,

I MADE full account to have seen you here this reading, but your neither coming nor sending the interr. as you undertook, I may (*a*) perceive of a wonder. And you know *super mirari cœperunt philosophari.* The redemption of both these consisteth in the vouchsafing of your coming up now, as soon as you conveniently can; for now is the time of conference and counsel. Besides, if the course of the court be held *super interrogat. judicis,* then must the interr. be ready ere the commission be sealed; and if the commission proceed not forthwith, then will it be caught hold of for further delay. I will not, by way of admittance, desire you to send with all speed the interr. because I presume much of your coming, which I hold necessary; and accordingly, *pro more amicitiæ,* I desire you earnestly to have regard both of the matter itself, and my so conceiving. And so, &c.

Your friend, particularly.

* From the original draught in the library of queen's college Oxford, Arch. D. 2.

(*a*) Query whether perceive?

To my Lord MONTJOYE *.

*From the original draught in the library of queen's college Oxford, Arch. D.2.

My very good Lord,

FINDING by my last going to my lodge at Twickenham, and tossing over my papers, somewhat that I thought might like you, I had neither leisure to perfect them, nor the patience to expect leisure; so desirous I was to make demonstration of my honour and love towards you, and to increase your good love towards me. And I would not have your lordship conceive, though it be my manner and rule to keep state in contemplative matters *si quis venerit nomine suo, eum recipietis*, that I think so well of the collection as I seem to do: and yet I dare not take too much from it, because I have chosen to dedicate it to you. To be short, it is the honour I can do to you at this time. And so I commend me to your love and honourable friendship.

To King JAMES I.

May it please your Majesty,

THINKING often, as I ought, of your majesty's virtue and fortune, I do observe, not without admiration, that those civil acts of sovereignty, which are of the greatest merit, and therefore of truest glory, are by the providence of God manifestly put into your hands, as a chosen vessel to receive from God, and an excellent instrument to work amongst men the best and noblest things. The highest degree of sovereign honour is to be founder of a kingdom or estate; for, as in the acts of God, the creation is more than the conservation; and as among men, the birth-day is accounted the chiefest of the days of life; so, to found a kingdom is more worthy, than to augment, or to administer the same. And this is an honour that no man can take from your majesty, that the day of

your coming to the crown of England was as the birth-day of the kingdom intire Britain.

The next degree of sovereign honour is the plantation of a country or territory, and the reduction of a nation, from waste soil and barbarous manners, to a civil population. And in this kind also your majesty hath made a fair and prosperous beginning in your realm of Ireland. The third eminent act of sovereignty, is to be a lawgiver, whereof he speaketh.

Pace datâ terris, animum ad civilia vertit
Jura suum, legesque tulit justissimus author.

And another saith, " Ecquid est, quod tam propriè " dici potest actum ejus, qui togatus in republicâ cum " potestate imperioque versatur, quam lex. Quære " acta Gracchi: leges Sempronia proferentur: quære " Syllæ, Corneliæ quid? Cneii Pompeii tertius con- " sulatus in quibus actis consistit? Nempe legibus. " A Cæsare ipso si quæreres quidnam egisset in urbe " et toga; leges multas se respondeat et præclaras " tulisse."

To the KING.

It may please your Majesty,

A FULL heart is like a full pen: it can hardly make any distinguished work. The more I look upon my own weakness, the more I must magnify your favours; and the more I behold your favours, the more I must consider mine own weakness. This is my hope, that God, who hath moved your heart to favour me, will write your service in my heart. Two things I may promise; for, though they be not mine own, yet they are surer than mine own, because they are God's gifts; that is, integrity and industry. And therefore, whensoever I shall make my account to you, I shall do it in these words, *ecce tibi lucrifeci*, and not *ecce mihi lucrifeci*. And for industry, I shall take to me, in this procuration, not Martha's part, to be busied in many things, but Mary's part, which is to intend your service; for the less my

abilities are, the more they ought to be contracted *ad unum.* For the present, I humbly pray your majesty to accept my most humble thanks and vows as the forerunners of your service, which I shall always perform with a faithful heart.

Your Majesty's most obedient servant,

FR. BACON.

To the KING's most excellent Majesty.

The humble petition of the Lord VERULAM, *viscount* ST. ALBAN.

THAT whereas your supplicant, for reward of full sixteen years service in the painfullest places of your kingdom, how acceptable or useful, he appealeth to your majesty's gracious remembrance, had of your majesty's gracious bounty two grants, both under the great seal of England; the one a pension of 1200l. the other a farm of the petty writs, about 600l. *per annum* in value, which was long since assigned to your supplicant's wife's friends in trust for her maintenance: which two grants are now the substance of your supplicant's and his wife's means, and the only remains of your majesty's former favours, except his dignities, which without means are but burdens to his fortunes:

So it is, most gracious sovereign, that both these are now taken from him; the pension stopped, the lease seized, the pension being, at this present, in arrear 500l. and at Michaelmas 800l. is stopped, as he conceiveth, upon the general stop of pensions; though he hopeth assuredly, that your majesty, that looketh with the gracious eye of a king, and not the strict eye of an officer, will behold his case as especial, if not singular. The latter was first seized for satisfaction of a private gentleman, your supplicant unheard, and without any shadow of a legal course. Since it hath been continued, in respect of a debt to your majesty for the arrear of rent upon the same farm, amounting to 1500l. But

whereas your majesty's farmers debtors for their rents, and other your debtors, have usually favours, sometimes of stallment, sometimes upon equity, if their farms decay, or at least when they are called upon, have days given, put in security, or the like; your supplicant was never so much as sent to, no warnings to provide, no days given, but put out of possession suddenly by a private and peremptory warrant, without any spark of those favours used to the meanest subjects. So that now your supplicant having left little or no annual income, is in great extremity, having spread the remnant of his former fortunes in jewels and plate, and the like, upon his poor creditors, having scarce left bread to himself and family.

In tender consideration whereof, your supplicant, and overthrown servant, doth implore your majesty's grace and goodness felt by so many, known to all, and whereof he cannot live to despair; first, in general, that your majesty will not suffer him, upon whose arm your princely arm hath so often been, when you presided in counsel, so near he was, and who hath borne your image in metal, but more in his heart, utterly to perish; or, which is worse, to live in his last days in an abject and sordid condition. Next, in particular, that your majesty would be graciously pleased to take present order to have the arrear of his pension paid, and likewise that for the future it may be settled, that he be not at courtesy, nor to beg at that door, which is like enough to be shut against him. Secondly, that the possession of his wife's lease may be restored to her; and this bit of arrear to your majesty, that you will be pleased to remit it, according to your majesty's gracious and pious promise, when you admitted him to you in the night of his troubles, which was, that you would not meddle with his estate, but to mend it. In the restoring the possession, you shall remove your hand of arms: in the remitting of the rent, you shall extend your hand of grace: and if he be not worthy of so much favour, as to have it released yet, that it may be respited for some good time, that he may make somewhat of that

his father left him, and keep himself out of want, in such sort, that your supplicant, that aspireth but to live to study, be not put to study to live. And he, according to his bounden duty, shall not intermit, as he ever hath done, to pray to God for your majesty's health and happiness.

To the Marquis of Buckingham,

My very good Lord,

I HEAR yesterday was a day of very great honour to his majesty, which I do congratulate. I hope also his majesty may reap honour out of my adversity; as he hath done strength out of my prosperity. His majesty knows best his own ways; and for me to despair of him, were a sin not to be forgiven. I thank God I have overcome the bitterness of this cup by christian resolution; so that worldly matters are but mint and cumin.

God ever preserve you.

Indorsed,

To my Lord Buckingham after my troubles.

To the Marquis of Buckingham.

My very good Lord,

I thought it my duty to take knowledge to his majesty, from your lordship, by the inclosed, that, much to my comfort, I understand his majesty doth not forget me nor forsake me, but hath a gracious inclination to me, and taketh care of me; and to thank his majesty for the same. I perceive, by some speech, that passed between your lordship and Mr. Meautys, that some wretched detractor hath told you, that it were strange I should be in debt: for that I could not but have received an hundred thousand pounds gift since I had the seal; which is an abominable falsehood.

Such tales as these made St. James say, that the *tongue is a fire,* and *itself fired from hell,* whither, when these tongues shall return, they will *beg a drop of water to cool them.* I praise God for it, I never took penny for any benefice or ecclesiastical living; I never took penny for releasing any thing I stopped at the seal; I never took penny for any commission, or things of that nature; I never shared with any servant for any second or inferior profit. My offences I have myself recorded, wherein I studied, as a good confessant, guiltiness, and not excuse; and therefore I hope it leaves me fair to the king's grace, and will turn many men's hearts to me.

As for my debts, I shewed them your lordship, when you saw the little house and the farm, besides a little wood or desert, which you saw not.

If these things were not true, although the joys of the penitent be sometimes more than the joys of the innocent, I could not be as I am.

God bless you, and reward you for your constant love to me. I rest, &c.

Draught of a Letter to the Marquis of BUCKINGHAM not sent (*a*).

My Lord,

I SAY to myself, that your lordship hath forsaken me; and I think I am one of the last, that findeth it, and in nothing more, than that twice at London your lordship would not vouchsafe to see me, though the latter time I begged it of you. If your lordship lack any justification about York-house, good my lord, think of it better; for I assure your lordship, that motion to me was to me as a second sentence; for I conceived it sentenced me to the loss of that, which I

(*a*) Among lord Bacon's printed letters, is one without a date, in which he complains, as in this, that he, *being twice now in London* the marquis *did not vouchsafe to see him.*

thought was saved from the former sentence, which is your love and favour. But sure it could not be that pelting matter, but the being out of sight, out of use, and the ill offices done me, perhaps by such as have your ear. Thus I think, and thus I speak; for I am far enough from any baseness or detracting, but shall ever love and honour you, howsoever I be

Your forsaken friend and freed servant,

FR. ST. ALBAN.

To the Marquis of BUCKINGHAM.

My very good Lord,

IT is in vain to cure the accidents of a disease, except the cause be found and removed. I know adversity is apprehensive; but I fear it is too true, that now I have lost honour, power, profit and liberty; I have, in the end, lost that, which, to me, was more dear than all the rest, which is my friend. A change there is apparent and great; and nothing is more sure than that nothing hath proceeded from and since my troubles, either towards your lordship or towards the world, which hath made me unworthy of your undeserved favours or undesired promises. Good my lord, deal so nobly with me, as to let me know, whether I stand upright in your favour, that either I may enjoy my wonted comfort, or see my griefs together, that I may the better order them; though, if your lordship should never think more of me, yet your former favours should bind me to be

Your Lordship's most obliged

and faithful servant,

FR. ST. ALBAN.

To the Marquis of Buckingham.

My very good Lord,

THIS extreme winter hath turned, with me, a weakness of body into a state that I cannot call health, but rather sickness, and that more dangerous than felt, as whereby I am not likely to be able to wait upon your lordship, as I desired, your lordship being the person, of whom I promise myself more almost than of any other; and, again, to whom, in all loving affection, I desire no less to approve myself a true friend and servant. My desire to your lordship is to admit this gentleman, my kinsman and approved friend, to explain to you my business, whereby to save further length of letter, or the trouble of your lordship's writing back.

To Mr. Tobie Matthew.

Good Mr. Matthew,

THE event of the business, whereof you write, is, it may be, for the best: for seeing my lord, of himself, beginneth to come about, *quorsum* as yet? I could not in my heart suffer my lord Digby to go hence without my thanks and acknowledgments. I send my letter open, which I pray seal and deliver. Particulars I would not touch.

Your most affectionate

and assured friend,

Fr. St. Alban.

To Mr. Tobie Matthew.

Good Mr. Matthew,

WHEN you write by pieces, it sheweth your continual care; for a flush of memory is not so much; and I shall be always, on my part, ready to watch for you, as you for me.

I will not fail, when I write to the lord marquis, to thank his lordship for the message, and to name the nuntius. And, to tell you plainly, this care, they speak of, concerning my estate, was more than I looked for at this time; and it is that, which pleaseth me best. For my desires reach but to a fat *otium*. That is truth; and so would I have all men think, except the greatest; for I know patents, *absque aliquid inde reddendo*, are not so easily granted.

I pray my service to the Spanish ambassador, and present him my humble thanks for his favour. I am much his servant; and ashes may be good for somewhat. I ever rest

Your most affectionate and assured friend,

Fr. St. Alban.

I have sought for your little book, and cannot find it. I had it one day with me in my coach. But sure it is safe; for I seldom lose books or papers.

To the Lord Viscount St. Alban.

Most honoured Lord,

I HAVE received your great and noble token and favour of the 9th of April, and can but return the humblest of my thanks for your lordship's vouchsafing so to visit this poorest and unworthiest of your servants. It doth me good at heart, that, although I be not where I was in place, yet I am in the fortune of your

lordship's favour, if I may call that fortune, which I observe to be so unchangeable. I pray hard that it may once come in my power to serve you for it; and who can tell, but that, as *fortis imaginatio generat casum*, so strange desires may do as much? Sure I am, that mine are ever waiting on your lordship; and wishing as much happiness as is due to your incomparable virtue, I humbly do your lordship reverence.

Your Lordship's most obliged

and humble servant,

TOBIE MATTHEW.

POSTSC. The most prodigious wit, that ever I knew of my nation, and of this side of the sea, is of your lordship's name, though he be known by another.

To the Lord Archbishop of YORK (*a*).

My very good Lord,

I MUST use a better style, than mine own, in saying, *Amor tuus undequaque se ostendit ex literis tuis proximis*, for which I give your grace many thanks, and so, with more confidence, continue my suit to your lordship for a lease absolute for twenty one years of the house, being the number of years, which my father and my predecessors fulfilled in it. A good fine requires certainty of term; and I am well assured, that the charge I have expended, in reparations, amounting to 1000 marks at least already, is more than hath been laid out by the tenants, that have been in it since my remembrance, answerable to my particular circumstance, that I was born there, and am like to end my days there. Neither can I hold my hand, but, upon this encouragement, am like to be doing still, which tendeth to the improvement, in great measure

(*a*) Dr. Tobie Matthew.

of the inheritance of your see by superlapidations, if I may so call it, instead of dilapidations, wherewith otherwise it might be charged.

And whereas a state for life is a certainty, and not so well seen how it wears, a term of years makes me more depending upon you and your successsion.

For the providing of your lordship and your successors a house, it is part of the former covenant, wherein I desired not to be released.

So assuring myself of your grant and perfecting of this my suit; and assuring your grace of my earnest desire and continual readiness to deserve well of you and yours chiefly, and likewise of the see in any of the causes or preeminences thereof, I commend your grace to God's goodness, resting, &c.

The following Papers, containing the Lord Chancellor ELLESMERE's Exceptions to Sir EDWARD COKE's *Reports*, and Sir Edward's Answers, having never been printed, though Mr. STEPHENS, who had copied them from the Originals, designed to have given them to the Public, they are subjoined here in justice to the Memory of that great Lawyer and Judge; especially as the Offence taken at his *Reports* by king JAMES, is mentioned above in the Letter of the Lord Chancellor and Sir FRANCIS BACON, of October 16, 1616, to that King.

To the KING's most excellent Majesty *.

* From the originals.

It may please your most excellent Majesty,

ACCORDING to your majesty's directions signified unto me by Mr. Solicitor, I called the lord chief justice before me on Thursday the 17th of this instant, in the presence of Mr. Attorney and others of your learned counsel. I did let him know your majesty's acceptance of the few animadversions, which, upon

review of his own labours, he had sent, though fewer than you expected, and his excuses other than you expected, as namely in the prince's case, the want of the original in French, as though, if the original had been *primogenitus* in Latin, then he had not in that committed any error. I told him farther, that because his books were many, and the cases therein, as he saith, 500, your majesty, out of your gracious favour was pleased, that his memory should be refreshed; and that he should be put in mind of some passages dispersed in his books, which your majesty, being made acquainted with, doth as yet distaste, until you hear his explanation and judgment concerning the same. And that out of many some few should be selected, and that at this time he should not be pressed with more, and these few not to be the special and principal points of the cases, which were judged, but things delivered by discourse, and, as it were, by expatiation, which might have been spared and forborn, without prejudice to the judgment in the principal cases.

Of this sort Mr. Attorney and Mr. Solicitor made choice of five specially, which were read distinctly to the lord chief justice. He heard them with good attention, and took notes thereof in writing, and, lest there might be any mistaking either in the declaring thereof unto him, or in his misconceiving of the same, it was thought good to deliver unto him a true copy. Upon consideration whereof, and upon advised deliberation, he did yesterday in the afternoon return unto me, in the presence of all your learned counsel, a copy of the five points before mentioned, and his answer at large to the same, which I make bold to present herewith to your majesty, who can best discern and judge both of this little which is done, and what may be expected of the multiplicity of other cases of the like sort, if they shall be brought to further examination. All that I have done in this hath been by your majesty's commandment and direction, in presence of all your learned council, and by the special assistance and advice of your attorney and solicitor.

I know obedience is better than sacrifice; for otherwise I would have been an humble suitor to your majesty to have been spared in all service concerning the lord chief justice. I thank God I forget not the fifth petition, *Dimitte nobis debita nostra sicut, &c.* but withal I have learned this distinction: there is, 1. *Remissio vindictæ.* 2. *Remissio pœnæ.* 3. *Remissio judicii.* The two first I am past, and have freely and clearly remitted. But the last, which is of judgment and discretion, I trust I may in christianity and with good conscience retain, and not to trust too far, &c.

I must beseech your majesty's favour to excuse me for all that I have here before written, but specially for this last needless passage; wherein I fear your majesty will note me to play the divine, without learning, and out of season. So with my continual prayers to God to preserve your majesty with long, healthful, and happy life, and all earthly and heavenly felicity, I rest

Your Majesty's humble

At York-house, 22 Oct. 1616. *and faithful subject and servant,*

T. Ellesmere, *Canc.*

Questions demanded of the Chief Justice of the King's Bench by his Majesty's commandment.

1. IN the case of the isle of Ely, whether his lordship thinks that resolution there spoken of to be law; That a general taxation upon a town, to pay so much towards the repair of the sea-banks, is not warranted to be done by the commissioners of sewers; but that the same must be upon every particular person, according to the quantity of his land, and by number of acres and perches; and according to the portion of the profit, which every one hath there. Lib. 10.

2. In Darcy's case, whether his lordship's judgment Lib. 11.

be as he reporteth it to be resolved; that the dispensation or licence of queen Elizabeth to Darcy to have the sole importation of cards, notwithstanding the statute, 3 E. 4, is against law.

Lib. 11. 3. In Godfrey's case, what he means by this passage, Some courts cannot imprison, fine, or amerce, as ecclesiastical courts before the ordinary archdeacon, &c. or other commissioners, and such like, which proceed according to the canon or civil law.

Lib. 8. 4. In Dr. Bonham's case, what he means by this passage, That in many cases the common law shall controul acts of parliament, and sometimes shall judge them to be merely void: For where an act of parliament is against common right and reason, the law shall controul it, and adjudge it void.

Lib. 11. 5. In Bagges's case, to explain himself where he saith, That to the court of King's Bench belongs authority, not only to correct errors in judicial proceedings, but other errors and misdemeanors extrajudicial, tending to the breach of peace, oppression of subjects, or to the raising of faction, controversies, debate, or to any manner of misgovernment. So no wrong or injury can be done, but, that this shall be reformed or punished by due course of law.

I received these questions the 17th of this instant October, being Thursday; and this 21st day of the same month I made these answers following:

The humble and direct Answer to the Questions upon the Case of the Isle of Ely.

The words of the statute 23 H. 8, the commission of sewers.

THE statute of the 23 H. VIII. cap. 5, prescribeth the commission of sewers to be according to the manner, form, tenure, and effect hereafter ensuing, namely, to inquire by the oath of men, &c. who hath any lands or tenements, or common of pasture, or hath, or may have, any loss, &c. and all these persons to tax, distrain, and punish, &c. after the quantity of lands, tenements, and rents, by the number of acres and

perches, after the rate of every person's portion or profit, or after the quantity of common of pasture, or common of fishing, or other commodity there, by such ways and means, and in such manner and form, as to you, or six of you, shall seem most convenient.

The taxation of the commissioners.

The commissioners of sewers within the isle of Ely did tax Fendrayton, Samsey, and other towns generally, namely, one intire sum upon the town of Fendrayton, another upon Samsey, &c. The lords of the council wrote to myself, the chief justice of the Common Pleas, and unto justice Daniel and justice Foster, to certify our opinions, whether such a general taxation were good in law. Another question was also referred to us, whereof no question is now made; and as to this question we certified, and so I have reported as followeth, That the taxation ought to have these qualities, 1. It ought to be according to the quantity of lands, tenements, and rents, and by number of acres and perches. 2. According to the rate of every person's portion, tenure, or profit, or of the quantity of common of pasture, fishing, or other commodity, wherein we erred not, for they be the very words and text of the law, and of the commission. Therefore we concluded, that the said taxation of an intire sum in gross upon a town is not warranted by their commission, &c. And being demanded by your majesty's commandment, whether I do think, the said resolution concerning the said general taxation to be law, I could have wished, that I could have heard council learned again on both sides, as I and the other judges did, when we resolved this point; and now being seven years past since the said resolution, and by all this time I never hearing any objection against it, I have considered of this case, as seriously as I could within this short time, and without conference with any; and mine humble answer is, That for any thing that I can conceive to the contrary, I remain still of my former opinion, and have, as I take it, the express text and meaning of the law to warrant mine opinion. Seeing that one town is of greater value, and subject to more danger, than ano-

The report.

ther, the general taxation of a town cannot, as I ake it, be just, unless the particular lands, &c. andtloss be known, for the total must rise upon the particulars; and if the particulars be known, then may the taxations be in particular, as it ought, as I take it to be according to the express words of the act and commission.

3. The makers of the act did thereby provide, That every man should be equally charged, according to his benefit or loss; but if the general taxations should be good, then might the intire tax set upon the town be levied of any one man or some few men of that town; which should be unequal, and against the express words of the act and commission; and if it should be in the power of their officer to levy the whole taxation upon whom he will, it would be a means of much corruption and inconvenience; all which the makers of the act did wisely foresee by the express words of the act.

4. If the taxation be in particular, according to the number of acres, &c. which may easily be known, it may, as I take it, be easily done.

5. It was not only the resolution of the said three judges, but it hath been ruled and adjudged by divers other judges in other rates accordingly.

All which notwithstanding I most humbly submit myself herein to your majesty's princely censure and judgment.

EDW. COKE.

The humble and direct Answer to the Questions upon D'ARCY's Case.

The case. THE statute of 3 of E. 4. cap. 4. at the humble petition of the card-makers, &c. within England, prohibiteth, amongst other things, the bringing into the realm of all foreign playing cards upon certain penalties. Queen Elizabeth, in the fortieth year of her reign, granted to Sir Ed. D'Arcy, his executors, deputies and assigns, for twenty-one years, to have the sole making of playing cards within the realm, and

the sole importation of foreign playing cards; and that no other should either make any such cards, within the realm, or import any foreign cards, but only the said Sir Ed. D'Arcy, his executors, deputies, and assigns, notwithstanding the said act.

The point concerning the sole making of cards within the realm is not questioned: the only question now is concerning the sole importation.

The words of the report, concerning the clause of the sole importation.

It was resolved, that the dispensation or licence to have the sole importation or merchandizing of cards, without any limitation or stint, is utterly against the law.

And your majesty's commandment having been signified to me, to know, whether my judgment be, as I report it to be resolved, in most humble manner I offer this answer to your majesty; That I am of opinion, that without all question the late queen by her prerogative might, as your majesty may, grant licence to any man to import any quantity of the said manufacture whatsoever, with a *non obstante* of the said statute: and for proof thereof I have cited about fifteen book-cases in my report of this case. And the first of those book-cases is the 2 H. 7. fol. 6. by the which it appeareth, that if a penal statute should add a clause, That the king should not grant any dispensation thereof, *non obstante* the statute; yet the king, notwithstanding that clause of restraint, might grant dispensations at his pleasure with a *non obstante* thereof. Therefore seeing this royal prerogative and power to grant dispensations to penal laws is so incident and inseparable to the crown, as a clause in an act of parliament cannot restrain it, I am of opinion, that when the late queen granted to Sir Ed. D'Arcy to have the sole importation of this manufacture without limitation, and that no other should import any of the same during 21 years, that the same was not of force either against the late queen, or is of force against your majesty: for, if the said grant were of force, then could not the late queen or your majesty, during the said term, grant any dispensation of this

statute concerning this manufacture to any other for any cause whatsoever; which is utterly against your majesty's inseparable prerogative, and consequently utterly void; which falleth not out where the licence hath a certain limitation of quantity or stint; for there the crown is not restrained to grant any other licence.

And therefore where it was resolved by Popham chief justice, and the court of King's Bench, before I was a judge, That the said dispensation or licence to have the sole importation and merchandizing of cards without any limitation or stint, should be void, I am of the same opinion; for that it is neither against your majesty's prerogative, nor power in granting of such dispensations; but tendeth to the maintenance of your majesty's prerogative royal, and may, if it stand with your majesty's pleasure, be so explained.

Wherein in all humbleness I submit myself to your majesty's princely censure and judgment.

EDW. COKE.

The words of the report.

The humble and direct Answer to the Question rising upon GODFREY's Case.

SOME courts cannot imprison, fine, nor amerce, as ecclesiastical courts holden before the ordinary, archdeacon, or their commissaries and such like, which proceed according to the common or civil law.

And being commanded to explain what I meant by this passage, I answer, that I intended only those ecclesiastical courts there named and such like, that is, such like ecclesiastical courts, as peculiars, &c.

And within these words, (And such like) I never did nor could intend thereby the high commission; for that is grounded upon an act of parliament, and the king's letters patents under the great seal. Therefore these words *commissaries* and *such like* cannot be extended to the high commission, but, as I have said, to inferior ecclesiastical courts.

Neither did I thereby intend the court of the admiralty; for that is not a like court to the courts be-

fore named; for those be ecclesiastical courts, and this is temporal. But I referred the reader to the case in Brooks's abridgment, pla. 77, where it is that, if the admiral, who proceeded by the civil law, hold plea of any thing done upon the land, that it is void and *coram non judice;* and that an action of transgressions in that case doth lie, as by the said case it appeareth. And therefore that in that case he can neither fine nor imprison. And therewith agree divers acts of parliament; and so it may be explained, as it was truly intended.

All which I most humbly submit to your majesty's princely judgment.

EDW. COKE.

The humble and direct Answer to the fourth Question arising out of Dr. BONHAM's Case.

IN this case I am required to deliver what I mean by this passage therein, That in many cases the common law shall control acts of parliament; and sometimes shall adjudge them to be merely void; for where an act of parliament is against common right and reason, the common law shall control it, and adjudge it to be void.

The words of my report do not import any new opinion, but only a relation of such authorities of law, as had been adjudged and resolved in antient and former times, and were cited in the argument of Bonham's case; and therefore the words of my book are these, "It appeareth in our books, that in many cases the common law shall control acts of parliament, and sometimes shall adjudge them to be utterly void; for when an act of parliament is against common right and reason, or repugnant or impossible to be performed, the common law shall control this, and adjudge such act to be void. And therefore in 8 E. 3. 30, Thomas Tregor's case, upon the statute of West. 2. cap. 38, *et artic. super cart.* cap. 9, Herle saith, Some statutes are made against law and right, which

The words of the report.

they, that made them, perceiving, would not put them in execution.

The statute of H. II. cap. 21, gives a writ of *Cessavit hæredi petenti super hæredem tenent et super eos, quibus alienatum fuerit hujusmodi tenementum.* And yet it is adjudged in 33 E. 3, *tit. cessavit* 42, where the case was, Two co-partners, lords and tenant by fealty and certain rent; the one co-partner hath issue, and dieth, the aunt and the niece shall not join in a *cessavit*, because that the heir shall not have a *cessavit*, for the cessor in his ancestor's time. Fitz. N. B. 209, F. and herewith accords Plow. com. 110. And the reason is, because that in a *cessavit*, the tenant, before judgment, may render the arrearages and damages, &c. and retain his land: and this he cannot do, when the heir bringeth a *cessavit* for the cessor in the time of his ancestor; for the arrearages incurred in the life of his ancestor do not belong to the heir.

And because that this is against common right and reason, the common law adjudges the said act of parliament as to this point void. The statute of Carlisle made *anno* 35 E. I. enacteth, That the order of the Cistertians and Augustins have a convent and common seal; that the common seal shall be in the custody of the prior, which is under the Abbot, and four others of the discreetest of the house; and that any deed sealed with the common seal, that is not so kept, shall be void. And the opinion in the 27 H. 6. *tit.* Annuity 41, was, that this statute is void; for the words of the book are, it is impertinent to be observed for the seal being in their custody, the Abbot cannot seal any thing with it; and when it is in the hands of the Abbot, it is out of their custody *ipso facto.* And if the statute should be observed, every common seal might be defeated by a simple surmise, which cannot be. Note, reader, the words of the said statute made at Carlisle, *anno* 35 E. 1. which is called *Statutum Religiosorum*, are these: *Et insuper ordinavit dominus rex et statuit, quod abbates Cistercienses & Præmonstratenses ordinum religiosorum, &c. de cetero habeant sigillum commune, et illud in custodia prioris monasterii seu do-*

mus et quatuor de dignioribus et discretioribus ejusdem loci conventus sub privato sigillo abbatis ipsius loci custod. deponend. Et si forsan aliqua scripta obligationum, donationum, emptionum, venditionum, alienationum, seu aliorum quorumcunque contractuum alio sigillo quam tali sigillo communi sicut præmittitur custodit, inveniatur amodo, sigillata pro nullo penitus habeantur, omnique careant firmitate. So the statute of 1 E. 6. cap. 14, gives chanteries, &c. to the king, saving to the donor, &c. all such rents, services, &c. and the common law controls this, and adjudges it void as to the services; and the donor shall have the rent as a rent-seck to distrain of common right; for it should be against common right and reason, that the king should hold of any, or do suit to any of his subjects, 14 Eliz. Dyer, 313. And so it was adjudged Mich. 16 and 17 Eliz. in the common place in Stroud's case. So if any act of parliament give to any to hold, or to have connusance of all manner of pleas before him arising within his manor of D. yet he shall hold no plea, whereunto himself is a party, for *Iniquum est aliquem suæ rei esse judicem.*

Which cases being cited in the argument of this case, and I finding them truly vouched, I reported them in this case, as my part was, and had no other meaning than so far as those particular cases there cited do extend unto. And therefore the beginning is, It appeareth in our books, &c. And so it may be explained, as it was truly intended.

In all which I most humbly submit myself to your majesty's princely censure and judgment.

EDW. COKE.

The humble and direct Answer to the last Question arising upon BAGG's Case.

The words of the report.

IT was resolved, that to this court of the King's Bench belongeth authority not only to correct errors in judicial proceedings, but other errors and misde-

meanors tending to the breach of the peace, or oppression of the subjects, or to the raising of faction or other misgovernment: so that no wrong or injury either public or private can be done, but it shall be reformed and punished by law.

Being commanded to explain myself concerning these words, and principally concerning this word, *misgovernment;*

I answer, that the subject matter of that case concerned the misgovernment of the mayors and other the magistrates of Plymouth.

And I intended for the persons the misgovernment of such inferior magistrates for the matters in committing wrong or injury, either public or private, punishable by law, and therefore the last clause was added, "and so no wrong or injury, either public or private, "can be done, but it shall be reformed and punished "by law;" and the rule is *verba intelligenda sunt secundum subjectam materiam.*

And that they and other corporations might know, that factions and other misgovernments amongst them, either by oppression, bribery, unjust disfranchisements, or other wrong or injury, public or private, are to be redressed and punished by law, it was so reported.

But if any scruple remains to clear it, these words may be added *by inferior magistrates;* and so the sense shall be by faction or misgovernment of inferior magistrates, so as no wrong or injury, &c.

All which I most humbly submit to your majesty's princely judgment.

EDW. COKE.

May it please your Lordship,

ABOVE a year past, in my late lord Chancellor's time, information was given to his majesty, that I having published in eleven works or books of reports, containing above 600 cases one with another, had written many things against his majesty's prerogative.

And I being by his majesty's gracious favour called thereunto, all the exceptions, that could be taken to so many cases in so many books, fell to five, and the most of them too were by passages in general words; all which I offered to explain in such sort, as no shadow should remain against his majesty's prerogative, as in truth there did not; which whether it were related to his majesty, I know not. But thereupon the matter hath slept all this time; and now the matter, after this ever blessed marriage, is revived, and two judges are called by my lord keeper to the former, that were named. My humble suit to your lordship is, that if his majesty shall not be satisfied with my former offer, viz. by advice of the judges to explain and publish as is aforesaid those five points, so as no shadow may remain against his prerogative; that then all the judges of England may be called hereunto. 2. That they may certify also what cases I have published for his majesty's prerogative and benefit, for the good of the church, and quieting of mens inheritances, and good of the common-wealth; for which purpose I have drawn a minute of a letter to the judges, which I assure myself your lordship will judge reasonable; and so reposing myself upon your lordship's protection I shall ever remain

Your most bounden servant,

EDW. COKE.

There is no date to this letter, but I conceive it written in October or November, 1617, *Note by* Mr. Stephens.

Superscribed,

To the right honourable his singular good lord the earl of Buckingham, of his majesty's privy council.

The Letter to the JUDGES.

WHEREAS in the time of the late lord chancellor intimation was given unto us, that divers cases were published in Sir Edward Coke's reports, tending to the prejudice of our prerogative royal; whereupon

we caring for nothing more, as by our kingly office we are bounden, than the preservation of prerogative royal, referred the same; and thereupon, as we are informed, the said Sir Edward Coke being called thereunto, the objections were reduced to five only, and most of them consisting in general terms; all which Sir Edward offered, as we are informed, to explain and publish, so as no shadow might remain against our prerogative. And whereas of late two other judges are called to the others formerly named. Now our pleasure and intention being to be informed of the whole truth, and that right be done to all, do think it fit, that all the judges of England, and barons of the Exchequer, who have principal care of our prerogative and benefit, do assemble together concerning the discussing of that, which, as is aforesaid, was formerly referred; and also what cases Sir Edward Coke hath published to the maintenance of our prerogative and benefit, for the safety and increase of the revenues of the church, and for the quieting of mens inheritances, and the general good of the commonwealth: in all which we require your advice and careful considerations; and that before you make any certificate to us, you confer with the said Sir Edward, so as all things may be the better cleared.

To all the judges of England, and barons of the Exchequer.

THE

LAST WILL

OF

FRANCIS BACON, VISCOUNT ST. ALBAN.

FIRST, I bequeath my soul and body into the hands of God by the blessed oblation of my Saviour; the one at the time of my dissolution, the other at the time of my resurrection. For my burial, I desire it may be in St. Michael's church, near St. Alban's: there was my mother buried, and it is the parish church of my mansion-house of Gorhambury, and it is the only christian church within the walls of Old Verulam. I would have the charge of my funeral not to exceed three hundred pounds at the most.

E. Regr. Curiæ Prærogat. Cantuariæ extract.

For my name and memory, I leave it to mens charitable speeches, and to foreign nations, and the next ages. But, as to that durable part of my memory, which consisteth in my works and writings, I desire my executors, and especially Sir John Constable and my very good friend Mr. Bosvile, to take care that of all my writings, both of English and of Latin, there may be books fair bound, and placed in the king's library, and in the library of the university of Cambridge, and in the library of Trinity College, where myself was bred, and in the library of Bennet College, where my father was bred, and in the library of the university of Oxonford, and in the library of my lord of Canterbury, and in the library of Eaton.

Also, whereas I have made up two register-books, the one of my orations or speeches, the other of my epistles or letters, whereof there may be use; and yet because they touch upon business of state, they are not fit to be put into the hands but of some counsellor, I

do devise and bequeath them to the right honourable my very good lord bishop of Lincoln, and the chancellor of his majesty's duchy of Lancaster. Also, I desire my executors, especially my brother Constable, and also Mr. Bosvile, presently after my decease, to take into their hands all my papers whatsoever, which are either in cabinets, boxes, or presses, and them to seal up until they may at their leisure peruse them.

I give and bequeath unto the poor of the parishes where I have at any time rested in my pilgrimage, some little relief according to my poor means: to the poor of St. Martin in the Fields, where I was born, and lived in my first and last days, forty pounds; to the poor of St. Michael's near St. Alban's, where I desire to be buried, because the day of death is better than the day of birth, fifty pounds; to the poor of St. Andrew's, in Holborn, in respect of my long abode in Gray's-Inn, thirty pounds; to the poor of the abbey church parish in St. Alban's, twenty pounds; to the poor of St. Peter's there, twenty pounds; to the poor of St. Stephen's there, twenty pounds; to the poor of Redborn, twenty pounds; to the poor of Hemstead, where I heard sermons and prayers to my comfort in the time of the former great plague, twenty pounds; to the poor of Twickenham, where I lived some time at Twickenham Park, twenty pounds. I intreat Mr. Shute, of Lombard Street, to preach my funeral sermon, and to him in that respect I give twenty pounds; or if he cannot be had, Mr. Peterson, my late chaplain, or his brother.

Devises and legacies to my wife: I give, grant, and confirm to my loving wife, by this my last will, whatsoever hath been assured to her, or mentioned or intended to be assured to her by any former deed, be it either my lands in Hertfordshire, or the farm of the seal, or the gift of goods, in accomplishment of my covenants of marriage; and I give her also the ordinary stuff at Gorhambury, as wainscot tables, stools, bedding, and the like (always reserving and excepting the rich hangings with their covers, the table-car-

pets, and the long cushions, and all other stuff which was or is used in the long gallery; and also a rich chair, which was my niece Cæsar's gift, and also the armour, and also all tables of marble and towch). I give also to my wife my four coach geldings, and my best caroache, and her own coach mares and caroache: I give also and grant to my wife the one-half of the rent which was reserved upon Read's lease for her life; which rent although I intended to her merely for her better maintenance while she lived at her own charge, and not to continue after my death; yet because she has begun to receive it, I am content to continue it to her; and I conceive by this advancement, which first and last I have left her, besides her own inheritance, I have made her of competent abilities to maintain the estate of a viscountess, and give sufficient tokens of my love and liberality towards her; for I do reckon, and that with the least, that Gorhambury and my lands in Hertfordshire, will be worth unto her seven hundred pounds *per annum*, besides woodfells, and the leases of the houses, whereof five hundred pounds *per annum* only I was tied unto by covenants upon marriage; so as the two hundred pounds and better was mere benevolence; the six hundred pounds *per annum* upon the farm of the writs, was likewise mere benevolence; her own inheritance also, with that she purchased with part of her portion, is two hundred pounds *per annum* and better, besides the wealth she hath in jewels, plate, or otherwise, wherein I was never strait-handed. All which I here set down, not because I think it too much, but because others may not think it less than it is.

Legacies to my friends: I give unto the right honourable my worthy friend the marquis Fiatt, late lord ambassador of France, my books of orizons or psalms curiously rhymed; I give unto the right honourable my noble friend Edward earl of Dorset, my ring, with the crushed diamond, which the king that now is gave me when he was prince; I give unto my right honourable friend the lord Cavendish, my casting-bottle of gold; I give to my brother Constable, all

my books, and one hundred pounds to be presented to him in gold; I give to my sister Constable, some jewels, to be bought for her, of the value of fifty pounds; I give to Nall, her daughter, some jewels, to be bought for her, of the value of forty pounds; I give to my lady Cooke, some jewels to be bought for her, of the value of fifty pounds; and to her daughter, Ann Cooke, to buy her a jewel, forty pounds; and to her son, Charles, some little jewel, to the value of thirty pounds. I will also, that my executor sell my chambers in Gray's-Inn, which, now the lease is full, I conceive may yield some three hundred pounds: one hundred pounds for the ground story, and two hundred pounds for the third and fourth stories; which money, or whatsoever it be, I desire my executors to bestow for some little present relief, upon twenty-five poor scholars in both universities: fifteen in Cambridge, and ten in Oxonford. I give to Mr. Thomas Meautys, some jewel, to be bought for him, of the value of fifty pounds, and my foot-cloth horse. I give to my antient good friend, Sir Tobie Matthew, some ring, to be bought for him, of the value of thirty pounds. I give to my very good friend, Sir Christopher Darcy, some ring, to be bought for him, of the value of thirty pounds. I give to Mr. Henry Percy, one hundred pounds. I give to Mr. Henry Goodricke, forty pounds. I give to my godson, Francis Lowe, son of Humphry Lowe, one hundred and fifty pounds. I give to my godson, Francis Hatcher, son of Mr. William Hatcher, one hundred pounds. I give to my godson, Francis Fleetwood, son of Henry Fleetwood, Esq. fifty pounds. I give to my godson, Philips, son of auditor Philips, twenty pounds. I give to every of my executors, a piece of plate of thirty pounds value.

Legacies to my servants now, or late servants: I give to my servant, Robert Halpeny, four hundred pounds, and the one-half of my provisions of hay, firewood, and timber, which shall remain at the time of my decease. I give to my servant, Stephen Paise, three hundred and fifty pounds, and my bed with the appurte-

nances, bed-linen, and apparel-linen, as shirts, pillowbiers, sheets, caps, handkerchiefs, *etc.* I give to my servant, Wood, three hundred and thirty pounds, with all my apparel, as doublets, hose; and to his wife, ten pounds. I give to my late servant, Francis Edney, two hundred pounds and my rich gown. I give to my antient servant, Troughton, one hundred pounds. I give to my chaplain, Dr. Rawleigh, one hundred pounds. I give to my antient servant, Welles, one hundred pounds. I give to my antient servant, Fletcher, one hundred pounds; and to his brother ten pounds: and if my servant, Fletcher, be dead, then the whole to his brother. I give to my wife's late waiting-gentlewoman, Mrs. Wagstaffe, one hundred pounds. I give to Morrice Davis, one hundred pounds. I give to old John Bayes, one hundred pounds. I give to my antient servant, Woder, three score and ten pounds. I give to my antient servant, Guilman, three score pounds. I give to my antient servant, Faldo, forty pounds. I give to London, my coachman, forty pounds. I give to Harsnep, my groom, forty pounds. I give to Abraham, my footman, forty pounds. I give to Smith, my bayliff, and his wife, forty pounds. I give to my antient servant, Bowes, thirty pounds. I give to my servant, Atkins, thirty pounds. I give to old Thomas Gotherum, who was bred with me from a child, thirty pounds. I give to my servant, Plomer, twenty pounds. I give to Daty, my cook, twenty pounds. I give to Henry Brown, twenty pounds. I give to Richard Smith, twenty pounds. I give to William Sayers, ten pounds. I give to John Large, twenty pounds. I give to old goodwife Smith, ten pounds. I give to Peter Radford's wife, five pounds. I give to every mean servant that attends me, and is not already named, five pounds.

The general devise and bequest of all my lands and goods to the performance of my will.

Whereas my former assurance made to Sir John Constable, knight, my brother-in-law, and to Sir Thomas Crewe and Sir Thomas Hedley, knights, and

serjeants at law, and some other persons now deceased, all my lands and tenements in Hertfordshire were by me conveyed in trust: And whereas of late my fine, and the whole benefit thereof, was by his majesty's letters patent conveyed to Mr. Justice Hutton, Mr. Justice Chamberlain, Sir Francis Barneham, and Sir Thomas Crewe, knight, persons by me named in trust; I do devise by this my will, and declare that the trust by me reposed, as well touching the said lands as upon the said letters patent, is, that all and every the said persons so trusted, shall perform all acts and assurances that by my executors, or the survivor or survivors of them, shall be thought fit and required, for the payment and satisfaction of my debts, and legacies, and performance of my will, having a charitable care that the poorest either of my creditors or legataries be first satisfied.

I do farther give and devise all my goods, chattels, and debts due to me whatsoever, as well my pension of twelve hundred pounds *per annum* from the king, for certain years yet to come; as all my plate, jewels, household-stuff, goods and chattels whatsoever, except such as by this my last will I have especially bequeathed, to my executors, for the better and more ready payment of my debts, and performance of my will.

And because I conceive there will be upon the moneys raised by sale of my lands, leases, goods and chattels, a good round surplusage, over and above that which may serve to satisfy my debts and legacies, and perform my will, I do devise and declare, that my executors shall employ the said surplusage in manner and form following: that is to say, that they purchase therewith so much land of inheritance, as may erect and endow two lectures in either the universities; one of which lectures shall be of natural philosophy, and the sciences in general thereunto belonging; hoping that the stipends or salaries of the lectures may amount to two hundred pounds a year for either of them; and for the ordering of the said lectures, and the election of the lecturers from time to time, I

leave it to the care of my executors, to be established by the advice of the lords bishops of Lincoln and Coventry and Litchfield.

Nevertheless, thus much I do direct, that none shall be lecturer if he be English, except he be master of arts of seven years standing, and that he be not professed in divinity, law, or physic, as long as he remains lecturer; and that it be without difference whether [he] be a stranger or English: and I wish my executors to consider of the precedent of Sir Henry Savil's lectures, for their better instruction.

I constitute and appoint for my executors of this my last will and testament, my approved good friend the right honourable Sir Humphrey Maye, chancellor of his majesty's duchy of Lancaster, Mr. Justice Hutton, Sir Thomas Crewe, Sir Francis Barnèham, Sir John Constable, and Sir Euball Thelwall; and I name and intreat to be one of my supervisors, my most noble, constant, and true friend, the duke of Buckingham, unto whom I do most humbly make this my last request, that he will reach forth his hand of grace to assist the just performance of this my will; and likewise that he will be graciously pleased for my sake to protect and help such of my good servants, as my executors shall at any time recommend to his grace's favour: and also I do desire his grace, in all humbleness, to commend the memory of my long-continued and faithful service unto my most gracious sovereign, who ever when he was prince was my patron, as I shall, who have now, I praise God, one foot in heaven, pray for him while I have breath.

And because of his grace's great business, I presume also to name for another of my supervisors, my good friend and near ally the master of the rolls.

And I do most earnestly intreat both my executors and supervisors, that although I know well it is matter of trouble and travail unto them, yet considering what I have been, that they would vouchsafe to do this last office to my memory and good name, and to the discharge of mine honour and conscience; that

all men may be duly paid their own, that my good mind by their good care, may effect that good work.

Whatsoever I have given, granted, confirmed, or appointed to my wife, in the former part of this my will, I do now, for just and great causes, utterly revoke and make void, and leave her to her right only.

I desire my executors to have special care to discharge a debt by bond, now made in my sickness to Mr. Thomas Meautys, he discharging me fully towards Sir Robert Dowglass, and to procure Sir Robert Dowglass his patent to be delivered to him.

FR. ST. ALBAN.

Published the nineteenth day of December, 1625,
in the presence of

W. Rawley, Ro. Halpeny, Stephen Paise,
Will. Atkins, Thomas Kent, Edward Legge.

Decimo tertio die mensis Julii anno Domini millesimo sexcentesimo vicesimo septimo emanavit commissio domino Roberto Rich militi, supremæ curiæ cancellariæ magistror' uni, et Thomæ Meautys armigero, creditoribus honorandi viri domini Francisci Bacon militis, domini Verulam, vice-comitis Sancti Albani, defunct', habentibus etc. ad administrand' bona jura et credita dicti defuncti Francisci Bacon defunct', juxta tenorem et effectum ipsius testamenti suprascript', eo quod dominus Thomas Crewe miles et dominus Johannes Constable miles, executores in hujusmodi testamento nominat' alias vigore mandator' sive occasionum a curia prærogat' Cantuar' emanat' ad id legitime et peremptorie citati, onus executionis testament' suprascript' in se suscipere recusarunt et denegarunt, saltem plus juste distulerunt; eoque quod dominus Humphridus Maye miles, cancellarius ducatus Lancastriæ, dominus Ricardus Hutton miles, unus justiliariorum domini nostri

regis de banco coram, dominus Euball Thelwall miles, supremæ curiæ cancellariæ magistrorum unus, et dominis Franciscus Barnham miles, executores etiam in testamento suprascript' nominat', ex certis causis eos et amicos suos in ea parte juste moven' oneri executionis testament' suprascript' expresse renuntiarunt, prout ex actis curiæ prædict' plenius liquet et apparet; de bene et fidelitur administrando eadem ad sancta Dei evangelia in debita juris forma jurat'.

Linthwaite Farrant Registrar' deputat' assumpt'.

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